



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 373 of 2026

1 - Shanichram Yadav S/o Late Ramadhar Yadav Aged About 50 Years R/o Near Sharda Mangalam Janjgir, Police Station And Tahsil- Janjgir, District- Janjgir-Champa (C.G.)

... Applicant

versus

1 - Jitendra Kumar Rai S/o Late Chandrabali Rai Aged About 40 Years R/o Village- Muralidih, Police Station And Tahsil Akaltara, District Janjgir-Champa (C.G.)

... Respondent

Order Sheet

16/03/2026	Mr. P.M. Shriwas, counsel for the applicant. Heard on admission. Admit. Issue notice to the respondent on payment of PF as per rules. Also heard on I.A. No.01/2026, application under Section 438 of BNS for suspension of sentence and grant of bail. The accused/applicant has been convicted and sentenced for the offence punishable under Section 138 of NI Act by the JMFC, Janjgir (C.G.) This petition has been filed being aggrieved by the impugned order dated 09.03.2026, passed by the learned 1st Additional Sessions Judge, Janjgir, District - Janjgir-
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Champa (C.G.) in Criminal Appeal No. 148/2024, whereby the conviction and sentence of the applicant has been affirmed sentencing to undergo R.I. for 6 months and a compensation of Rs. 6,60,000/- with default stipulation of 1 month's R.I.

Learned counsel for the applicant submits that there is no material on record on the basis of which the applicant's conviction can be sustained. The applicant is in jail since 09.03.2026; he has already deposited the 20% of the fine/compensation amount as imposed upon the applicant, and he is ready to abide by all the terms and conditions which may be imposed upon him while suspending the jail sentence and the recovery of compensation. The conclusion of this revision petition is likely to take considerable time, therefore, the substantive jail sentence of the applicant may be suspended till final disposal of this case and he may be released on bail. He also prayed that the recovery of compensation may also be suspended till final disposal of the case.

Heard counsel for the applicant and perused the record.

Considering the facts and circumstances of the case, at this stage, I am inclined to suspend the sentence.

Accordingly, I.A. No. 01/2026 is **allowed**.

It is directed that the substantive jail sentence of the applicant shall remain suspended till final disposal of the instant revision petition and he shall be released on bail on his executing a personal bond for a sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the trial Court for his appearance before

the Registry of this Court on **16th June, 2026**. He shall thereafter appear before the concerned trial Court on a date to be given by the Registry of this Court and thereafter, continue to appear before the trial Court on all such subsequent dates as are given to him by the said Court till disposal of this case.

It is also directed that subject to the applicant's depositing 50% of the cheque amount within a period of 60 days from today the recovery of the remaining compensation amount shall remain stayed till the final disposal of the instant revision.

The amount already deposited by the applicant towards compensation shall be adjusted when depositing 50% of the cheque amount.

After due verification, the complainant would be at liberty to withdraw the amount deposited by the applicant with a condition to return the said amount whenever the Court directs.

Call for records of the trial Court.

List this case thereafter.

Sd/-
(Sanjay Kumar Jaiswal)
Judge