

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRR No. 807 of 2023

- Ghanshyam Jatwar S/o Late Darasram Jatwar Aged About 63 Years R/o Sai Mandir Ke Paas, Ramnagar, Police Chouki Manikpur, Thana Kotwali Korba, Tahsil And District- Korba, C.G. --- **Applicant.**

Versus

- Laxminarayan Singh Rajput S/o Late Bisahu Singh Rajput Aged About 52 Years R/o - Rajput Aata Chakki, Purani Basti, Korba, Tahsil And District- Korba, C.G.

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07.08.2023	Mr. Vikas Kumar Pandey, Counsel for the applicant. Heard on admission. Admit. Issue notice to the respondent on payment of PF, as per rules. Call for the record of the Court below. Also heard on IA No.1/2023 – Application for suspension of sentence and grant of bail bail. 1) The accused/applicant has been convicted vide judgment of conviction and order of sentence dated 31.07.2023 passed by the Upper Sessions Judge (FTC), Korba in Criminal Appeal No.45/2022 arising out of order dated 28.06.2022 passed in Criminal Case No.2409/2019, whereby the applicant was convicted for the offence under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo S.I. for 3 months and directed to pay compensation amount of Rs.3,10,000/-. 2) Learned counsel for the applicant submits that the applicant has already deposited Rs.30,000/- out of the total compensation amount and at present he is ready to pay Rs.60,000/-. He further submits that the applicant has been awarded with a very short sentence of 3 months and he is behind the bar since 31.07.2023. Therefore, the applicant

	may be released on bail and remaining amount of compensation may be stayed. 3) In view of the aforesaid submission and considering the facts and circumstances of the case and also considering the period short sentence, IA No.1 is allowed. It is directed that on applicant's furnishing personal bond in a sum of Rs.1,00,000/- with two sureties for the like sum to the satisfaction of the concerned Court below, <u>the execution of sentence imposed upon the applicant shall remain suspended and he shall be released on bail, till final disposal of this revision.</u> 4) It is further directed that on applicant's depositing Rs.60,000/- (Sixty Thousand) out of total compensation amount within a period of 60 days from the date of his release, <u>recovery of the remaining compensation amount shall remain stayed, till the next date of hearing.</u> 5) The applicant shall appear before the trial Court on 04.09.2023 and shall continue to appear there on all such subsequent dates as are given to him, in the interval of not less than 6 months, by the said Court till disposal of this Revision. However, if any of the conditions enumerated here-in-above will be flouted by the applicant, this order granting bail to him shall stand canceled without any further reference to the Bench. List this case upon receipt of service report. Sd/- (Deepak Kumar Tiwari) Judge
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