



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 807 of 2023

GHANSHYAM JATWAR **versus** LAXMINARAYAN SINGH RAJPUT

Order Sheet

25/03/2026	Mr. T.R. Patel, Advocate on behalf of Mr. Vikas Kumar Pandey, Advocate for the applicant. Mr. Shubham Dev Mallick, Advocate for the respondent. Heard on I.A. No. 03/2023, application for cancellation of grant of bail U/s 439(2) of Code of Criminal Procedure 1973 and I.A. No. 04/2023, application for vacating interim relief. The petition has been filed being aggrieved by the order dated 31.07.2023 passed by the Additional Sessions Judge (FTC), Korba in Criminal Appeal No. 45/2022, whereby the appeal of the applicant has been dismissed by affirming the order of conviction and sentence dated 28.06.2022 passed by learned JMFC, Korba in Criminal Case No. 2409/2019 convicting under Section 138 of N.I. Act and sentencing to undergo S.I. for 3 months and directed to pay a compensation of Rs. 3,10,000/-. Vide order of this Court dated 07.08.2023, the applicant's jail sentence was suspended subject to furnishing a personal bond in the sum of ₹1,00,000/-, with two sureties. Furthermore, it was directed that on the applicant's depositing of ₹60,000
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within 60 days, the recovery of the remaining compensation amount would remain stayed till the next date of hearing.

According to the counsel for the respondent, as of today's date, the applicant/accused has failed to comply with the aforementioned order, and a report received from the Trial Court JMFC, Korba, District Korba (C.G.) dated 01.03.2024, also confirms that the applicant/accused has not complied with the said order.

Under these circumstances, since the conditions imposed on the suspension of the order regarding the recovery of the compensation amount have not been fulfilled, the Trial Court is at liberty to proceed with the recovery of the compensation amount as per law. However, insofar as the suspension of the jail sentence and the grant of bail are concerned, the disposal of this revision petition on its merits is still pending; therefore, it is not appropriate to cancel the bail bond at this stage.

Accordingly, both applications (I.A. No. 03/2023 and I.A. No. 04/2023) are disposed of in terms of the above.

A copy of this order be sent to the Trial Court concerned forthwith for information and compliance, if any.

List this case for final hearing after four weeks.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

H.L.Sahu