



CGHC010343252026

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRR No. 1160 of 2026**

Dilip Golcha S/o Seshmal Golcha Aged About 39 Years Proprietor Ayush Traders, Opp. Tution Classes R/o Shikshak Nagar, Ganesh Chowk Durg P.S. City Kotwali Durg Tahsil And District- Durg (C.G.)

... Applicant.**versus**

Ramesh Sharma S/o Shri Chaitram Sharma Aged About 44 Years R/o Kadambari Nagar, Durg P.S. Mohan Nagar, Tahsil And District- Durg (C.G.)

... Respondent.**Order Sheet**

09/09/2026	Mr. Jitendra Gupta, Advocate for the Applicant. Heard on admission. Admit. At the outset, learned counsel for the applicant seeks permission to withdraw I.A. No. 01/2026 (application under Section 438(1) of the BNSS for suspension of sentence and stay of compensation) on grounds of technical defects, noting that a fresh application has been filed as I.A. No. 02/2026. Accordingly, I.A. No. 01/2026 is <u>dismissed as withdrawn.</u>

	Heard on I.A. No. 02/2026, an application under Section 438(1) of the BNSS for suspension of sentence, grant of bail, and stay on the recovery of the compensation amount of Rs. 3,00,000/-. The present revision petition is preferred against the judgment dated 25.08.2026 passed by the learned First Additional Sessions Judge, Durg (C.G.) in Criminal Appeal No. 345/2024. By the impugned judgment, the applicant was convicted under Section 138 of the Negotiable Instruments Act and sentenced to 10 months of rigorous imprisonment, along with a direction to pay compensation of Rs. 3,00,000/- (in default, 3 months of additional rigorous imprisonment). Learned counsel for the applicant submits that the conviction is unsupported by the evidence on record. It is further submitted that the applicant is willing to deposit some portion of the compensation amount and there is chances of amicable settlement between the parties. Counsel emphasizes that the applicant has been in jail for 15 days out of the 10-month sentence imposed by the trial Court. He is ready to comply with any conditions imposed by the Court. Therefore, IA No.2 may be allowed. Heard counsel for the applicant and perused the record. In compliance of order dated 08.09.2026, Registry has informed that the appellant is in jail since 25.08.2026 Considering the facts and circumstances of the case, submission of the applicant, the nature of the dispute, the applicant's willingness to comply with conditions, and that
--	---

	the applicant is in jail since 25.08.2026, this Court finds it appropriate to suspend the sentence. It is directed that upon depositing of 70% of the total compensation amount before the trial Court, the substantive jail sentence awarded to the applicant shall remain suspended till further orders and the applicant shall be released on bail upon executing a personal bond of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court, for his appearance before the Registry of this Court on 26.10.2026. He shall thereafter appear before the trial Court on dates fixed by the Registry, and continue to do so until the disposal of this petition. Accordingly, I.A. No. 02/2026 is allowed to the aforesaid extent. Call for the trial Court records. As there appears to be chances of amicable settlement between the parties, the Registry is directed to place this matter before the upcoming Lok Adalat scheduled for 12.09.2026, and to issue notices to the parties forthwith for their appearance. C.C. Today. Sd/- (Naresh Kumar Chandravanshi) Judge
--	---