



\$~72

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 54/2025& CRL.M.A. 250/2025 (stay)

DALIP KUMAR SHARMA

.....Petitioner

Through: Mr. Syed Hasan Isfani, Advocate
(through VC).

versus

SUMAN SINGH

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **09.01.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 251/2025 (exemption)

2. Allowed, subject to all just exceptions.

3. Application is disposed of accordingly.

CRL.M.C. 54/2025 & CRL.M.A. 250/2025

4. The present petition filed under Section 528 of the BNSS read with Section 482 of the CrPC seeks the following prayers:-

“(a) Set aside the Order dated 19.11.2024 passed in Crl. Appeal 274/2022 by ASJ (FTSC) (RC) Dwarka Courts, South-West District, Delhi and Order of Conviction dated 15.07.2022 and Order on Sentence dated 25.07.2022 passed by the Ld. MM (NI Act-06) South West District Dwarka Courts Delhi in CC No. 38830/2019 titled as "Suman Singh vs Dalip Kumar Sharma"

(b) Pass any other or further order(s) as this Hon'ble Court may so deem fit in the ends of justice, equity and good conscience.”

5. The petitioner has been convicted by the learned Metropolitan Magistrate for the offence punishable under Section 138 of the Negotiable



Instruments Act, 1881 *vide* judgment of conviction and order on sentence dated 15.07.2022 and 25.07.2022 respectively. The aforesaid judgment and order on sentence were challenged in ***Criminal Appeal No. 274/2022*** which was dismissed by the learned ASJ *vide* the impugned order dated 19.11.2024.

6. Issue notice to respondent, on petitioner taking necessary steps, through all permissible modes, including electronic mail, if any.

7. It is pointed out that the petitioner has already paid a sum of Rs. 27,800/- out of the total cheque amount of Rs. 1,00,000/-.

8. In view of the above, subject to further payment of Rs. 25,000/- before the learned Trial Court within two weeks, the order on sentence dated 25.07.2022 shall remain stayed till the next date of hearing.

9. List on 27.03.2025.

10. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

11. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

JANUARY 09, 2025/sn

Click here to check corrigendum, if any