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

+ CRL.REV.P.(NI) 30/2026

HANS RAJ

.....Petitioner

Through: Mr. Pushpinder Singh, Mr. Harsh
Wadhvani and Mr. Siddhartha
Makhija, Advocates.

versus

NAGENDRA SHARMA

.....Respondent

Through: Mr. Sandeep Garg and Ms. Anishka
Bagla, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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05.02.2026

CRL.M.A. 3966/2026 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CRL.REV.P.(NI) 30/2026

CRL.M.(BAIL) 255/2026 (suspension of sentence)

By way of the present petition filed under section 442 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks setting aside of judgment dated 29.01.2026 passed by the learned Additional Sessions Judge (FTC), North-East District, Karkardooma District Courts, Delhi in Crl. Appeal No.168/2025, whereby the appeal filed against judgment of conviction dated 28.07.2025 and sentencing order dated 04.08.2025 passed by the learned Judicial Magistrate First Class, NI Act, Digital Court, North-East District, Karkardooma



District Courts, Delhi in case bearing CC No.744/2022, has been dismissed.

2. Learned counsel appearing for the petitioner submits, that having suffered a judgment of conviction by the learned trial court, as well as dismissal of his appeal by the learned sessions court, the petitioner is now in judicial custody with effect from 29.01.2026, having been sentenced to undergo simple imprisonment for 01 month and a fine of Rs. 10 lacs to be paid as compensation to the respondent, with a default sentence of simple imprisonment for 02 months.
3. Issue notice.
4. Mr. Sandeep Garg, learned counsel is present on behalf of the respondent on advance copy; accepts notice; and submits, that although the petitioner never made any sincere efforts to pay the amount comprised in the subject cheque, the respondent has always been ready and willing to settle the matter amicably. Learned counsel further submits, that even now, the respondent is willing to concede the prayer made by way of the present petition, provided the respondent is paid the compensation amount of Rs.10 lacs.
5. Learned counsel for the petitioner submits, on instructions, that the petitioner does not have any financial resources; however, in view of his incarceration, his relatives have now come together and are willing to arrange the money to be paid by the petitioner as compensation to the respondent. Counsel submits that it may also be borne in mind that the petitioner is about 75 years of age.
6. Upon a conspectus of the facts and circumstances, and especially considering the advanced age of the petitioner, the sentence imposed



upon the petitioner – ***Hans Raj s/o Shri Prabhu Dayal*** – is *suspended* till the next date of hearing in the matter, subject to the following conditions:

- 6.1. The petitioner shall furnish a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with 01 surety in the like amount from his wife/family member, to the satisfaction of the Jail Superintendent;
- 6.2. As undertaken by learned counsel appearing on his behalf, the petitioner shall pay the sum of Rs. 01 lac to the respondent within 03 days of his release from custody; and the balance sum of Rs. 09 lacs within 02 weeks thereafter.
7. No other conditions are being imposed upon the petitioner *at this stage*.
8. It is made clear that if the petitioner does not pay the fine/compensation as directed above, he would be liable to undergo the remaining part of his sentence.
9. No reply is being called-for at this stage.
10. Re-notify for further consideration on 30th March 2026.
11. A copy of this order be given *dasti* under signatures of the Court Master.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 5, 2026/ak