



\$~53

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

+ CRL.REV.P.(NI) 62/2026

MADAN LAL

.....Petitioner

Through: Mr. Anil and Ms. Lalita, Advs.

versus

HARISH CHAND

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

%

26.02.2026

CRL.M.A. 6336/2026 (*for exemption*)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.REV.P.(NI) 62/2026

3. By virtue of the present petition under *Section 438* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***), the petitioner seeks setting aside of the judgment dated 07.01.2026 passed by the learned Additional Session Judge (Special Judge NDPS), North-East District, Karkardooma Courts, Delhi (***learned Appellate Court***) in CA No.144/2025, upholding the judgement on conviction dated 14.05.2025 and order on sentence dated 31.07.2025 passed by the learned Chief Judicial Magistrate, North-East District, Karkardooma Courts, Delhi (***learned Trial Court***) in CT No.609/2018, whereby the petitioner was convicted for the offence under *Section 138* of the Negotiable Instruments Act, 1881 and sentenced to undergo simple imprisonment for a period of *four months* along with direction to pay Rs.2,35,000/- to the respondent as compensation within a



period of *one month*, in default whereof, to undergo simple imprisonment for a further period of *one month*.

4. Upon the petitioner taking requisite steps within a period of *one week*, issue notice to the respondent by all permissible modes, returnable on 22.07.2026.

5. Keeping in view the nature of the facts and disputes involved, the parties are hereby called upon to file their respective written synopsis instead of reply/ rejoinder not exceeding *three pages*, giving a chronological list of dates and events and relevant documents, if any, alongwith duly highlighted judgments setting out the propositions of law therein, they wish to rely upon before the next date of hearing.

6. Renotify on 22.07.2026.

CRL.M.(BAIL) 438/2026 (*Suspension of sentence*)

7. By virtue of the present application under *Section 430* of the BNSS, the petitioner seeks suspension of the sentence imposed upon him *vide* order on sentence dated 31.07.2025 passed by the learned Trial Court and as upheld by the learned Appellate Court *vide* order dated 07.01.2026 till final disposal of the present petition.

8. Upon the petitioner taking requisite steps within a period of *one week*, issue notice to the respondent by all permissible modes, returnable on 22.07.2026.

9. Learned counsel for the petitioner submits that the petitioner is willing to deposit any amount as directed by this Court.

10. Considering the nature of the facts and circumstances involved, especially the period of sentence awarded to the petitioner, subject to the petitioner depositing a demand draft of Rs.60,000/- [*Rupees Sixty*



Thousand] before the Registrar General of this Court, to be kept in an interest bearing FDR account, within a period of *one week*, the sentence imposed upon the petitioner *vide* order on sentence dated 31.07.2025 passed by the learned Trial Court in CT No. 609/2018, and as upheld by the learned Appellate Court *vide* order dated 07.01.2026, shall remain suspended till the next date of hearing.

11. Accordingly, upon the satisfaction of the Registrar General of this Court, as well as upon the petitioner furnishing a personal bond in the sum of Rs.40,000/- [*Rupees Forty Thousand*] and one surety of the like amount to the satisfaction of the concerned Jail Superintendent, the petitioner is directed to be released from judicial custody subject to the following conditions:-

- a. In case of any changes in the residential/ permanent address, the petitioner shall inform this Court;
- b. Petitioner shall appear before this Court if, as and when directed.

12. Copy of this order be forwarded to the concerned Jail Superintendent for information and compliance *forthwith*.

13. Renotify on 22.07.2026.

SAURABH BANERJEE, J.

FEBRUARY 26, 2026/bh