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

+ **CRL.M.C. 2458/2025**

SHRI JEET SINGH

.....Petitioner

Through: Mr. B. Khan, Adv.

versus

THE STATE GOVT OF NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Meenakashi Dahiya, APP
for State.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

09.04.2025

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CRL.M.A. 11012/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 2458/2025

3. This is a fresh petition filed under Section 528 read with Section 529 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to assail the Judgment dated 27.02.2025 passed by learned Additional Sessions Judge-03, North District, Rohini Courts, Delhi ("ASJ") vide which it upheld the judgment of conviction dated 28.03.2023, however, the learned ASJ modified the order of sentence dated 24.04.2023 passed by learned ACMM, North District, Rohini Courts, Delhi ("ACMM") only to pay a fine of Rs. 5,00,000/- to be awarded as compensation to



the respondent within a period of one month from the date of order, in default of which, the petitioner to undergo Simple Imprisonment for six months.

4. Learned ACMM *vide* the Order dated 24.04.2023 had awarded the sentence to the petitioner to undergo Simple Imprisonment for a period of two years and to pay fine of Rs. 7,00,000/- to the respondent as compensation and in default of payment of fine, to further undergo Simple Imprisonment for a period of three months.

5. Learned counsel for the petitioner submits that both the Courts failed to appreciate that without there being a certificate under Section 65B of the Indian Evidence Act, 1872, the electronic evidence furnished could not have been admissible. Moreover, though the respondents had submitted before the Court that there was a promissory note also executed by the petitioner, however, no such promissory note was placed on record.

6. Issue notice.

7. Ms. Meenakashi Dahiya, learned APP for the State accepts notice and seeks time to file reply. Be filed before the next date of hearing, with an advance copy to the opposite side.

8. Upon petitioner taking steps, let service be effected upon the remaining respondent through all permissible modes, returnable on 03.09.2025.

CRL.M.(BAIL) 812/2025

9. The present application has been filed under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023 on behalf of the petitioner/accused for suspension of sentence till the disposal of the



main petition.

10. Keeping in view the above submissions and subject to the petitioner/appellant depositing the cheque amount within a period of six weeks from today with the Registrar General of this Court, to be kept in an auto-renewable FDR mode, the impugned Judgment dated 27.02.2025 shall be stayed till disposal of the present petition.

11. Accordingly, the application stands disposed of.

SHALINDER KAUR, J

APRIL 9, 2025/ss/frk

[Click here to check corrigendum, if any](#)