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

+ **CRL.M.C. 2891/2025**

SATISH KUMAR

.....Petitioner

Through: Mr. Shiv Kumar Gautam, Adv.

versus

PRADEEP KUMAR

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **29.04.2025**

CRL.M.A. 12930/2025

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

CRL.M.C. 2891/2025

3. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) has been filed by the petitioner seeking to set aside the Order dated 27.03.2025 passed by the Learned Special Judge, NDPS, Central District, Tis Hazari Courts, Delhi (Trial Court) in C.A No.293/2024 titled “***Pradeep Kumar vs Satish Kumar***”.
4. The learned counsel for the petitioner submits that the learned Trial Court upon conviction of the petitioner *vide* Order 21.06.2024, directed the respondent to pay a fine of Rs. 5,40,000/- to the petitioner

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and in default thereof to undergo Simple Imprisonment of one month.

5. Aggrieved by the said Order, the respondent preferred an appeal and the learned Appellate Court *vide* Order dated 20.07.2024, suspended the sentence, directing the respondent to deposit 20% of the fine amount within two months and thereafter, adjourned the matter on number of dates, as the respondent could not deposit the compensation/fine as ordered by the learned Appellate Court.

6. He submits that finally, *vide* Order dated 26.03.2025, the learned Appellate Court erroneously revised previous order directing the respondent to deposit 10% of the compensation amount. Aggrieved by the same, the petitioner has approached this Court.

7. Upon the petitioner taking steps, issue notice to the respondent, through all permissible modes, returnable for 18.08.2025.

SHALINDER KAUR, J

APRIL 29, 2025/SU/KP

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