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

+ **CRL.REV.P. 605/2024**

RAJNEESH SHARMA

..... Petitioner

Through: Mr.Ashutosh Kaushik, Adv.
(DHCLSC) with Mr.Rony John,
Adv. along with petitioner in
person.

versus

VIRENDER KUMAR

..... Respondent

Through: Mr.Aman Usman, APP

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **27.05.2024**

CRL.M.A. 13718/2024(exemption)

1. Allowed, subject to all just exceptions.

CRL.REV.P. 605/2024 & CRL.M.(BAIL) 758/2024, CRL.M.A. 13719/2024, CRL.M.A. 13720/2024

2. This petition has been filed under Section 397 read with Section 401 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') challenging the Order dated 03.05.2023 passed by the learned Additional Sessions Judge – 05, North-West District, Rohini Courts, Delhi in CA No.216/2022, titled as ***Rajneesh Sharma v. Virender Kumar.***, whereby the appeal of the petitioner was dismissed.

3. The above appeal was preferred by the petitioner against the judgement dated 07.12.2021 and order on sentence dated 20.12.2021, passed by the learned Metropolitan Magistrate, NI



Act, North-West District, Rohini Courts, Delhi in CC No.12658/2016, titled as ***Sh.Virender Kumar v. Sh.Rajneesh Sharma***, convicting the petitioner for offence under Section 138 of the Negotiable Instruments Act, 1881 (in short, 'NI Act') and directing the petitioner to undergo simple imprisonment for 3 months and pay fine of Rs.12,40,000/-.

4. The petitioner, who is present in Court in person, undertakes that he shall pay an amount of Rs.8 lakhs to the respondent within a period of two weeks from today. He further undertakes that he shall deposit the balance amount of the fine imposed by the learned Trial Court with the Registry of this Court within a period of two weeks thereafter.
5. Subject to the petitioner abiding by his undertaking given hereinabove, he shall not be arrested till the next date of hearing.
6. List for reporting of the compliance with the first half of the undertaking given by the petitioner for payment of Rs.8 lakhs to the respondent within 2 weeks from today, on 24th June, 2024 before the Vacation Bench.
7. The petitioner shall, while making the payment of the balance amount, inform the respondent of the pendency of the present petition and of the order passed today.
8. The petitioner shall also remain personally present in Court on the next date of hearing.

NAVIN CHAWLA, J

MAY 27, 2024/RN/ss

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