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

+ CRL.REV.P. 728/2023

BEENA

.....Petitioner

Through: Mr. Musharraf Ali,
Advocate along with
Petitioner in person.

versus

KISHAN PAL

.....Respondent

Through: Mr. Lalit Kumar,
Advocate (through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **11.09.2025**

CRL.M.A. 27250/2025 (for restoration of the present petition)

1. The present application is filed by the applicant/petitioner seeking restoration of the captioned revision petition, which was dismissed in default by order dated 02.09.2025.
2. Even though the order sheet indicates that the petitioner has not been diligently pursuing the present matter, however, purely in the interest of justice, the application is allowed.
3. The CRL.REV.P. 728/2023 is restored to its original number.
4. The application stands disposed of.

CRL.REV.P. 728/2023

5. The petitioner was convicted by the judgment dated 17.05.2022 ('**judgment of conviction**'), passed by the learned Metropolitan Magistrate (NI Act)-03, South East, Saket, New Delhi, for the offence under Section 138 of the Negotiable Instruments Act, 1881 and by order on sentence dated



30.05.2022, was sentenced to pay fine of ₹2.10 lakhs and in default to undergo simple imprisonment for a period of six months.

6. The petitioner's appeal against the judgment of conviction and order on sentence was dismissed by judgment 10.04.2023 passed by the learned Additional Sessions Judge-05, South East District, Saket Courts, New Delhi, ('**Court of Sessions**') which has led to filing of the present petition. The learned Court of Sessions though while dismissing the appeal had reduced the fine amount to a sum of ₹1.82 lakhs.

7. Issue notice.

8. The learned counsel appearing for the respondent accepts notice.

9. Reply, if any, be filed before the next date of hearing.

10. List on 09.12.2025.

11. On the petitioner paying 50% of the fine amount, the order on sentence is stayed till the next date of hearing.

AMIT MAHAJAN, J

SEPTEMBER 11, 2025

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