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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P.(NI) 120/2025 & CRL.M.(BAIL) 1023/2025 (for
suspension of sentence)

AMIT ARORA @ MONTYPetitioner

Through: Mr. Ankit and Ms. Deepshikha,
Advocates.

versus

RAJESH KUMAR DAWAR Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **09.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 14484/2025 (exemption)

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

**CRL.REV.P.(NI) 120/2025 & CRL.M.(BAIL) 1023/2025 (for suspension
of sentence)**

3. The present petition under Section 438/442 read with Section 528 of the BNSS challenges the judgment dated 25.04.2025 passed by learned ASJ, Patiala House Courts in Criminal Appeal no. 107/2024, whereby the challenge of the petitioner to the judgment of conviction dated 28.03.2024 and order on sentence dated 02.04.2024, passed by the learned Metropolitan Magistrate was dismissed.

4. *Vide* the aforesaid judgment of conviction and order on sentence passed by the learned Trial Court, the petitioner has been convicted under Section 138 of the Negotiable Instruments Act, 1881 and has been sentenced to

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undergo simple imprisonment for 3 months along with fine of Rs. 12,00,000/- to be paid to the complainant within 30 days from the pronouncement of judgment and in default of payment of fine, further simple imprisonment for 3 months.

5. Learned counsel for the petitioner submits that during the course of the hearing of the aforesaid appeal, an amount of Rs. 2,40,000/- had already been deposited before the Appellate Court. It is further submitted that the petitioner is further willing to deposit an amount of Rs. 3,60,000/- before the learned Trial Court.

6. Issue notice.

7. On the petitioner taking necessary steps, issue notice to the respondent through all permissible modes, including electronic mail, if any, returnable on 28.07.2025.

8. In the meantime, on the petitioner depositing a further sum of Rs. 3,60,000/- before the learned Trial Court within a period of 6 weeks from today, the order on sentence dated 02.04.2024 shall remain suspended till the next date of hearing.

9. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

10. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

MAY 9, 2025/bsr/pr

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

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