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

+ CRL.REV.P. 863/2019, CrI.M.(BAIL) 1461/2019 &
CrI.M.A.33921/2019

MOHD. SOHRAB

..... Petitioner

Through Mr. Nalin Kaushik, Adv.

versus

MAHMOOD KHAN & ANR

.... Respondents

Through Mr.Amit Chadha, APP for the
State

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **30.09.2019**

CRL.M.A. 33921/2019 (for exemption)

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

CrI.M.(BAIL) 1461/2019

1. The present application has been filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) read with Section 397 of the Cr.P.C. for suspension of order on sentence during the pendency of the revision petition.
2. Learned counsel for the petitioner submitted that vide judgment dated 21.1.2019, the petitioner was held guilty under Section 138 of the Negotiable Instruments Act, 1881 and vide order on sentence dated 26.2.2019, he was sentenced to undergo simple imprisonment of 12 months and to pay compensation of Rs.4.25 lacs and in default of



payment of compensation, he would have to further undergo simple imprisonment of 4 months.

3. On moving an application under Section 389 (3) of the Cr.P.C., the order on sentence was suspended and the petitioner was released on bail for one month.

4. Learned counsel for the petitioner submitted that 50% of the compensation amount has already been deposited before the Trial Court.

5. Learned counsel for the petitioner prayed that in view of the aforesaid facts and circumstances and the fact that the disposal of the revision petition may take some time, the order on sentence may be suspended during the pendency of the revision petition and the petitioner may be released on bail.

6. Taking into consideration the aforesaid facts, the fact that 50% of the compensation amount has already been deposited before the Trial Court and that the disposal of the revision petition may take some time, the order on substantive sentence of the petitioner is suspended during the pendency of the present revision petition and the petitioner be released on bail, if not required in any other case, subject to his furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of Trial Court.

7. The application is disposed of accordingly.

CRL.REV.P. 863/2019

1. Issue notice.
2. Notice is accepted by learned APP for the State.



3. Issue notice to the respondent No.2 by all modes, on petitioner taking steps within ten days, returnable on 24.1.2020.

CHANDER SHEKHAR, J

SEPTEMBER 30, 2019/rk