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

+ **CRL.REV.P.(NI) 236/2025**

M/s OYSTER CONSTRO CARE PVT. LTD & ANR

.....Petitioners

Through: Mr. Vishwendra Verma, Ms. Shivali
and Ms. Ekta Tomar, Advocates

versus

RATHI STEEL (DAKSHIN) LTD.

.....Respondent

Through: Mr. Bipin Kumar, Advocate

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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30.04.2026

CRL.M.A. 13070/2026 (seeking waiver of the condition to deposit 20% amount)

1. By way of detailed order dated 08.10.2025, the predecessor bench stayed the operation of the impugned sentence subject to the revisionist/applicant depositing 20% of the fine amount within 15 days, making it clear that if the 20% of the fine amount was not deposited within 15 days, the learned magistrate shall proceed to execute the sentence. Even that 20% of the fine amount has not been deposited till date.
2. Now, the present application has been filed, seeking waiver to deposit that amount.
3. After addressing at length on interpretation of Section 148 Negotiable Instruments Act, which is primarily applicable to appellate court and not this court, learned counsel for revisionist seeks permission to withdraw this application.



4. As requested, the application is dismissed as withdrawn.

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5. Since the impugned order had been stayed by the predecessor bench subject to deposit of 20% of fine amount within 15 days of 08.10.2025, which has not been done till date, it is made clear that now there is no stay on the operation of the impugned sentence.

6. Copy of this order be sent to the learned trial court making it clear that now there is no stay on operation of the impugned sentence.

7. For final arguments, list on the date already fixed i.e., 30.07.2026 in Advance List.

8. Learned counsel for respondent submits that he has not received the copy of the paperbook. Learned counsel for petitioner submits that he had supplied the same but is requested to supply another set within one week.

GIRISH KATHPALIA, J

APRIL 30, 2026/as