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

+ CRL.REV.P.(NI) 70/2024 & CRL.M.A. 36657/2024

CRL.M.A. 36658/2024

ASHRAF ALI

.....Petitioner

Through: Mr. Yogender Kumar Verma, Mr.
Vijender Kumar Verma, Mr. Faraz Zaidi, Mr.
Vinayak Bhatt, Adv.

versus

THE STATE (GOVT. OF NCT DELHI), & ANR.Respondent

Through: Mr. Sunil Kr. Gautam, APP

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+ CRL.REV.P.(NI) 71/2024 & CRL.M.A. 36659/2024,

CRL.M.A. 36660/2024

ASHRAF ALI

.....Petitioner

Through: Mr. Yogender Kumar Verma, Mr.
Vijender Kumar Verma, Mr. Faraz Zaidi, Mr.
Vinayak Bhatt, Adv.

versus

THE STATE (GOVT. OF DELHI) & ANR.Respondent

Through: Mr. Sunil Kr. Gautam, APP

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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05.12.2024

CRL.REV.P.(NI) 70/2024 & CRL.REV.P.(NI) 71/2024

1. These are petitions seeking to challenge the order dated 23.07.2024 and 24.07.2024, wherein the petitioner has been convicted for the offence punishable under Section 138 of Negotiable Instruments Act and sentenced to 4 months imprisonment and 3 lakhs as compensation.
2. It is stated by Mr. Verma, learned counsel for the petitioner that the learned Court has failed to appreciate that there was no proof of notice and the notice was sent at the wrong address and hence, the complaint



could not have been filed.

3. For the said reasons, issue notice. Mr. Gautam, learned APP accepts notice on behalf of the respondent No. 1.
4. Issue notice to the respondent No. 2 through all modes including electronic on the petitioner taking steps within 1 week from today, returnable on 17.02.2025.

**CRL.M.(BAIL) 2069/2024 in CRL.REV.P.(NI) 70/2024 and
CRL.M.(BAIL) 2070/2024 in CRL.REV.P.(NI) 71/2024**

5. These are applications seeking suspension of sentence.
6. It is stated that the appellant is in custody for the last 4 months.
7. Issue notice. Mr. Gautam, learned APP accepts notice on behalf of the respondent No. 1.
8. Issue notice to the respondent No. 2 through all modes including electronic on the petitioner taking steps within 1 week from today, returnable on 17.02.2025.
9. Subject to the petitioner depositing 10% of the compensation amount in each case (i.e. totalling to Rs. 1,30,000/-) with the Registrar General, Delhi High Court, the sentence of the appellant dated 23.07.2024 and 24.07.2024 shall remain suspended till the next date of hearing.

JASMEET SINGH, J

DECEMBER 5, 2024 / (MS)

Click here to check corrigendum, if any