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IN THE HIGH COURT OF DELHI AT NEW DELHI
CRL.M.C. 8830/2025

PRATAAP CHANDER BASU

.....Petitioner

Through: Mr. R.S. Kundu, Mr. Rishi
Kapoor, Mr. Azad Bansala
& Mr. Chaitanya Mehra,
Advs.

versus

GOVERNMENT OF NCT OF
DELHI

.....Respondent

Through: Mr. Raj Kumar, APP for
the State

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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10.12.2025

CRL.M.A. 36863/2025 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 8830/2025 & CRL.M.(BAIL) 2439/2025 (for suspension of sentence)

3. The present petition is filed challenging the impugned judgment dated 01.09.2025, in CA No. 50/2025, whereby the learned Court of Sessions dismissed the appeal filed by the petitioner challenging the judgment on conviction dated 06.03.2023 and order on sentence dated 04.07.2023, in CC No. 12188/2017.

4. By judgment of conviction dated 06.03.2023, the learned Trial Court convicted the petitioner for the offence under Section 138 of the Negotiable Instruments Act, 1881 ('NI Act'). By the order on sentence dated 04.07.2023, the petitioner was directed to pay a fine of ₹3,00,000/- to the complainant, and in default of



payment of fine, to undergo ~~under~~ simple imprisonment for 4 months.

5. The learned counsel for the petitioner submits that the appeal was dismissed on the ground of delay, without taking into consideration the strong merits of the case and the reasons for delay explained in the application.

6. He submits that an appeal challenging the judgment on conviction and the order on sentence ought not to be dismissed for the reason of delay as the same involves the question of personal liberty of the accused.

7. Issue notice.

8. Notice be served through all permissible modes.

9. Since the sentence only relates to the payment of money, on the petitioner depositing 50% of the fine amount i.e. a sum of ₹1,50,000/- with the Registrar General of this Court within a period of eight weeks, the order of sentence dated 04.07.2023 is suspended till the next date of hearing.

10. The amount which is to be deposited by the petitioner with the Registry of this Court is directed to be kept in an interest-bearing FDR in auto renewal mode.

11. It is, however, made clear that if 50% of the fine amount is not deposited within a period of eight weeks, the present order in regard to suspension of sentence would be vacated automatically and the respondent would be at liberty to take appropriate steps.

12. List on 13.02.2026.

AMIT MAHAJAN, J

DECEMBER 10, 2025

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