

Duni Chand Vs Sh.Chhayal Singh and anr

Cr. Revision No. 78 of 2026

03.02.2026. Present: Mr. Vivek Thakur, Advocate vice Mr. Hemant Kumar Thakur, Advocate for the petitioner.

Mr. Sikander Bhushan, Deputy Advocate General, for respondent No.2.

Notice. Mr. Sikander Bhushan, learned Deputy Advocate General appears and waives service of notice on behalf of respondent No.2.

Notice to respondent No.1 be issued returnable for 16.03.2026 on taking steps within a week.

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Notice in the aforesaid terms.

By way of present application, the applicant/petitioner has prayed for suspension of sentence imposed upon him by learned trial Court.

The applicant/petitioner was convicted for the commission of offence punishable under Section 138 of the Negotiable Instruments Act by the learned Judicial Magistrate First Class, Karsog, District Mandi, H.P in case registration No. 68/2021, titled, **Chhayal Singh versus Duni Chand**, vide judgment dated 09.05.2024 and vide order of the same date, he

was sentenced to undergo simple imprisonment for three months and further to impose compensation of Rs. 2,20,000/-to be paid to the respondent.

The applicant/petitioner had filed an appeal before learned Additional Sessions Judge-I, Mandi, H.P (camp at Karsog), which was dismissed vide judgment dated 11.12.2025.

A perusal of the grounds of revision petition reveals that the petitioner has raised arguable points.

The substantive sentence imposed upon the applicant/petitioner is for a period of three months and further the petitioner undertakes to deposit the compensation amount to the extent of 30% within a reasonable period in case sentence is suspended. Keeping in view the above facts, the substantive sentence imposed by the learned trial Court is suspended for the next date of hearing with the following conditions:-

- *That the applicant shall deposit 30% of the compensation amount before the learned trial court in addition to the amount already deposited within a period of four weeks from today and in case the amount is not deposited within the afore stated period, the substantive sentence imposed upon him shall be revived.*

- *That the applicant shall furnish personal bond in the sum of Rs. 50,000/- with one surety of undertaking that in case the revision petition filed by him is dismissed, he will surrender before the learned trial Court to serve the substantive sentence.*

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The application is disposed of with a direction to the applicant to file the certified copies of judgment of conviction and order of sentence dated 09.05.2024, passed by learned Judicial Magistrate First Class, Karsog, District Mandi, HP within four weeks from today.

February 03, 2026
[G.M.]

(Jiya Lal Bhardwaj)
Vacation Judge