

Ram Prasad vs. Yash Pal and another

Cr. Revision No.82 of 2026

03.02.2026

Present: Mr. Ashok Kumar Verma, Advocate for the petitioner.

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

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Notice. Mr. Sikander Bhushan, learned Deputy Advocate General appears and waives service of notice on behalf of respondent No.2. Notice be issued to respondent No.1, returnable for 13th March, 2026. Steps be taken within a week.

Cr.MP No.447 of 2026

By way of present application, the applicant/petitioner has prayed for suspension of substantive sentence imposed upon him by the learned trial Court on 13.03.2025.

The applicant/petitioner was convicted by the learned Judicial Magistrate First Class, Court No.1, Sarkaghat, District Mandi, H.P. (camp at Dharampur) for the commission of offence punishable under Section 138 of the Negotiable Instruments Act in case No.01/2018, titled, **Yash Pal vs. Ram Prasad** vide judgment dated 13.03.2025 and thereafter vide order of the same date, sentenced him to undergo simple imprisonment for a

period of six months and to pay compensation of Rs.1,50,000/- to the respondent/complainant.

The appeal preferred by the applicant/petitioner has been dismissed vide judgment dated 07.01.2026, by the learned Additional Sessions Judge, Sarkaghat, District Mandi, H.P. in Criminal Appeal No.06/2025, titled, Ram Prasad vs. Yash Pal and another.

A perusal of the grounds of revision petition reveals that there are arguable points involved in the revision petition and in case the substantive sentence imposed upon the petitioner is not suspended during the pendency of the revision petition, the very purpose of filing revision petition will be frustrated.

Keeping in view the above, the substantive sentence imposed upon the petitioner vide order dated 13.03.2025 passed by the learned Judicial Magistrate First Class, Court No.1, Sarkaghat, District Mandi, H.P. in Case No.01/2018, titled, Yash Pal vs. Ram Prasad shall remain suspended till the next date of hearing, on the following terms :-

- *The applicant/petitioner shall deposit 30% of the compensation amount with the trial Court within a period of four weeks from today and in case the compensation amount is not deposited as ordered, the interim order shall stand vacated.*
- *The applicant/petitioner shall furnish personal bond in the sum of ₹50,000/-, along with one surety of the*

like amount, to the satisfaction of the learned trial Court, within a period of four weeks from today, with an undertaking that he will surrender before the learned trial Court to serve the sentence, in case of ultimate dismissal of his Revision Petition by this Court.

- *The applicant/petitioner shall not leave the territory of India without the prior permission of this Court.*

Reply to the application be filed within four weeks.

List on **13.03.2026.**

Cr.MP No. 448 of 2026

The application is disposed of with a direction to the applicant/petitioner to file certified copy of judgment/order dated 13.03.2025 passed by the learned Judicial Magistrate First Class, Court No.1, Sarkaghat, District Mandi, H.P. within a period of four weeks.

February 03, 2026
(naveen)

(**Jiya Lal Bhardwaj**)
Vacation Judge