

Devinder vs. State Bank of India

Cr. Revision No. 89 of 2026

05.02.2026 Present: Mr. Munish Datwalia, Advocate, for the applicant/petitioner.

Cr. Revision No. 89 of 2026

Notice be issued to the respondent returnable for **25.03.2026**.

Cr.MP No. 467 of 2026

2. By way of present application, the applicant/petitioner has prayed for suspension of sentence imposed upon him by the learned trial Court vide order dated 30.01.2025.

3. The applicant/petitioner was tried for the commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and vide order dated 30.01.2025, he was convicted by the learned Judicial Magistrate First Class, Rajgarh, District Sirmour, H.P. in Complaint No. 36/3 of 2019, titled, **State of Bank of India vs. Devinder Kumar** and vide order of the same day was sentenced to undergo simple imprisonment for a period of one year and to pay compensation of Rs. 5,00,000/- and in default of payment of compensation to further undergo simple imprisonment for two months.

4. The applicant/petitioner had filed the appeal before the learned Sessions Judge, Sirmour, District at Nahan, H.P. bearing Criminal Appeal No. 22-Cr.A/10 of 2025, titled, **Devinder versus State of Bank of India**, which was dismissed vide judgment dated 06.10.2025.

5. A perusal of the grounds of revision petition reveals that there are arguable points raised in the petition and in case the substantive sentence imposed upon the applicant/petitioner is not suspended the very purpose of filing the revision petition will be frustrated.

6. Keeping in view the above, the substantive sentence imposed upon the petitioner vide order dated 30.01.2025 passed by the learned Judicial Magistrate First Class, Rajgarh, District Sirmour, H.P. in Complaint No. 36/3 of 2019, titled, **State of Bank of India vs. Devinder Kumar**, shall remain suspended till the next date of hearing, on the following terms:-

- *That the applicant shall deposit 30% of the compensation amount before the learned trial court within a period of four weeks from today and in case, the amount as directed is not deposited within the aforesaid 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 in the like amount to the satisfaction of the learned trial Court undertaking therein that*

in case the revision petition filed by him is dismissed, he will surrender before the learned trial Court to serve the substantive sentence.

- *The applicant shall not leave the country without the prior permission of this Court.*

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7. The application is disposed of with a direction to the applicant/petitioner to file the certified copy of judgment of conviction and order of sentence dated 30.01.2025, passed by learned Judicial Magistrate First Class, Rajgarh, District Sirmaur, H.P. within four weeks from today.

05th February, 2026
(Vriti)

**(Jiya Lal Bhardwaj)
Vacation Judge**