

**Prem Kumar vs. Jai Chand (since deceased)
through his LRs.**

Cr. Revision No.181 of 2025

10.04.2025 Present: Mr. G.R. Palsra, Advocate, for the petitioner.

Notice be issued to the respondents, returnable
for 05.06.2025, on taking steps within seven days.

Cr.MP No.1323 of 2025

By way of the present application, which has
been filed, under Section 430 of the Bharatiya Nagarik
Suraksha Sanhita, 2023, the petitioner/applicant has sought
the suspension of sentence imposed upon him, vide judgment
of conviction and order of sentence dated 27.06.2023, passed
by the learned Chief Judicial Magistrate, Sirmaur at Nahan,
H.P., (hereinafter referred to as the trial Court), in Criminal
Complaint No.313/3 of 2021, titled as 'Jai Chand son (since
deceased) through his LRs. versus Prem Kumar'.

Vide judgment of conviction and order of
sentence dated 27.06.2023, the learned trial Court has
convicted the petitioner/applicant for the offence punishable
under Section 138 of the Negotiable Instruments Act, 1881
(hereinafter referred to as the 'NI Act') and sentenced him to
undergo simple imprisonment for a period of six months and
to pay a compensation of Rs.1,10,000/-. The judgment of

conviction and order of sentence passed by the learned trial Court has been affirmed by the learned Additional Sessions Judge, Nahan, District Sirmaur, H.P., (hereinafter referred to as the First Appellate Court), vide judgment dated 17.01.2025, passed in Criminal Appeal No.111-N/10 of 2023, titled as 'Prem Kumar versus Jai Chand (since deceased) through his LRs.'

Since, the present Criminal Revision Petition, preferred against the judgment of conviction and order of sentence, as referred to hereinabove, is likely to take sufficient long time, for its disposal, as such, during the pendency of the present revision petition, the order of sentence is ordered to be suspended, subject to the following conditions:-

(i) That the applicant shall furnish personal bond in the sum of Rs.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 remainder substantive sentence, in case of ultimate dismissal of the present revision petition, by this Court;

(ii) That the applicant shall deposit 30% of the total amount of compensation, which has been referred to by the learned trial Court as fine, with the learned trial Court, within a period of four weeks from today,

which shall be in addition to the amount, if any, already deposited by the applicant.

(iii) The applicant shall not leave the territory of India without the prior permission of the Court.

Application is, thus, disposed of.

A copy of this order be sent to the learned trial Court, with a direction that the report of compliance of this order be submitted to this Court.

(Virender Singh)
Judge

April 10, 2025
(subhash)