

Prem Raj vs. Inder Dev

Cr. R. No. 201 of 2026.

10.04.2026 Present: Ms. Suhani Gautam, Advocate, vice counsel for the petitioner.

Cr. R. No. 201 of 2026.

Notice to the respondent, returnable for 29th May, 2026. Steps be taken within a week.

Cr.MP No. 1297 of 2026.

By way of instant application, the applicant/petitioner has prayed that substantive sentence imposed upon him, vide order dated 13.12.2024 passed by the learned Additional Chief Judicial Magistrate, Court No.1, Rohru, District Shimla, H.P. in CNR No. HPSH080008622022 and as affirmed vide judgment dated 26.02.2026, passed by learned Additional Sessions Judge, Rohru, District Shimla, H.P. in Criminal Appeal bearing (Case No.8-R/10 of 2025) and CIS Regd. No. 8/2025, be suspended during the pendency of the instant revision petition.

The applicant/petitioner was tried for commission of offence punishable under Section 138

of the Negotiable Instruments Act (for short "the Act") for dishonour of cheque amounting to Rs.1,03,860/- and vide judgment dated 05.12.2024 passed by the learned Additional Chief Judicial Magistrate, Court No.1, Rohru, District Shimla, H.P. in CNR No. HPSH080008622022, titled, Inder Dev vs. Prem Raj, he was convicted for commission of offence punishable under the N.I. Act and thereafter vide order dated 13.12.2024, he was sentenced to undergo simple imprisonment for a period of six months and to pay fine as compensation to the complainant in the sum of Rs.1,03,860/-.

The applicant/petitioner had preferred the appeal before the learned Additional Sessions Judge, Rohru bearing Cr. Appeal CIS Reg. No. 8/2025, which was dismissed on 26.02.2026

A perusal of the grounds raised in the revision petition reveals that the petitioner/applicant has raised some arguable points and the disposal of the revision petition is likely to take some time, therefore, in the interest of justice, during the

pendency of the instant revision petition, the sentence of imprisonment imposed upon the applicant/petitioner is suspended subject to following conditions:-

(i) That the applicant/petitioner shall furnish personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of learned Trial Court within a period of four weeks from today undertaking therein that in case the revision petition filed by him is dismissed, he shall surrender before the learned Trial Court to serve the sentence.

(ii) That the applicant/petitioner shall deposit 30% of the fine amount before this Court within eight weeks from today. In case, the amount, as directed, is not deposited, the order of suspending the sentence shall stand automatically vacated.

(iii) The applicant/petitioner shall not leave the country without prior permission of the Court.

The application stands disposed of.

(Jiya Lal Bhardwaj)
Judge

10th April, 2026.
(Jai)