

Geeta vs. Gian Chand

Cr.Revision No. 315 of 2015

05.06.2026 Present: Mr. S.D. Sharma, Advocate, for the petitioner.

Cr. Revision No.315 of 2026

Heard.

The complainant admitted in his cross-examination that he had not advanced an amount of ₹1,10,300/-, the cheque amount involved in the matter, and had only advanced ₹1,00,000/-. He admitted that he was not taking any interest from the person to whom he used to advanced the money. At the same time he admitted that the amount of ₹10,300/-was charged towards the interest and cost. Prima facie, these admissions raise arguable points in the present petition.

Issue notice to respondent returnable within a period of four weeks, on taking steps within a period of one week.

Record of the learned Courts below be requisitioned.

Cr.MP No. 2276 of 2026

Notice in the aforesaid terms.

In the meantime, keeping in view the nature of the offence punishable under Section 138 of the Negotiable Instruments Act, execution and operation of the substantive sentence of imprisonment awarded vide judgment dated 29.07.2024 and order of sentence dated 31.07.2024 passed by learned Additional Chief Judicial

Magistrate, Court No.1, Shimla, H.P. (learned Trial Court) as affirmed by learned Sessions Judge, Shimla, District Shimla, H.P. in Criminal Appeal No. 128-S/10 of 2024 decided on 17.03.2026 is ordered to be suspended till further orders subject to deposit of 30% of the compensation amount, if not deposited earlier and the applicant is directed to furnish personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the learned Trial Court with an undertaking to appear and receive the sentence, in case of dismissal of the present revision, within a period of four weeks.

Trial Court is directed that the bail bonds, so furnished by the applicant/petitioner be transmitted to this Court for placing the same on record.

(Rakesh Kainthla)
Judge

05th June, 2026.
(ravinder)

