



**Kamal Sharma vs. Joginder Singh
Criminal Revision No. 512 of 2022**

23.09.2022 Present: Mr. Karan Singh Kanwar, Advocate, for the petitioner.

Heard.

There are certain arguable points involved in the present Criminal Revision Petition, let notice of the petition be issued to the respondent, returnable for **28.10.2022**, on taking steps within one week.

Cr.MP No. 2944 of 2022

By virtue of the present application, the applicant Sh. Kamal Sharma has sought the suspension of sentence, passed by the learned Judicial Magistrate First Class, Court No.1, Solan, District Solan, H.P., in Criminal Case No. 256-3 of 2008 dated 23.06.2018 and affirmed by the learned Additional Sessions Judge, Solan, District Solan, H.P., vide order, dated 01.09.2022.

By virtue of the said order, the learned trial Court has convicted and sentenced the applicant Sh. Kamal Sharma to undergo simple imprisonment for a period of one year and six months for the commission of offence, punishable under Section 138 of the Negotiable Instruments Act, and to pay a compensation of Rs. 16,38,000/- to the complainant.

Since the revision against the said order has been admitted for hearing, which is likely to take some time for its disposal, as such, the application is considered and allowed. The order of sentence under challenge, in the revision is suspended during the pendency of the revision, subject to the following condition:-



2026:HHC:15060

- (i) *That the applicant shall furnish personal bond in the sum of Rs. 30,000/- alongwith 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 in the event of dismissal of the revision, he will surrender before the learned trial Court to serve the remainder substantive sentence;*

The application is, thus, disposed of.

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

Cr.MP No. 2945 of 2022

The application is disposed of with a direction to the applicant to file translated copies of vernaculars documents before the next date of hearing.

**(Virender Singh)
Judge**

September 23, 2022
(Vinod)