

Sachin Mukti vs. Mahesh Kumar & Another

Cr. Revision No.786 of 2024

03.12.2024 Present: Ms. Shikha Chauhan, Advocate, for the petitioner.

Mr. Jitender Sharma, Additional Advocate General with Mr. Gautam Sood and Ms. Niyati Thakur, Deputy Advocates General, for respondent No.2/State.

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Notice. Mr. Jitender Sharma, learned Additional Advocate General, appears and waives service of notice on behalf of respondent No.2.

Separate notice be issued to respondent No.1, returnable within six weeks, on taking steps within a period of three days.

In the meantime, records of both the learned courts below be called for.

Cr.MP No.5022 of 2024

By way of instant application, the applicant/petitioner has prayed for suspension of sentence.

Heard. The substantive sentence imposed by learned Judicial Magistrate, 1st Class, Anni, District Kullu, H.P. vide judgment of conviction and order of sentence dated 14.03.2023, under Section 138 of the Negotiable Instruments Act, 1881 in ***Criminal Complaint No.27 of 2018***, titled as ***Mahesh Kumar vs. Sachin Mukti*** and further affirmed by learned Additional Sessions Judge,

Kinnaur at Rampur Bushehar, District Shimla vide judgment dated 01.10.2024 in ***Criminal Appeal No.71 of 2024***, titled ***Sachin Mukti vs. Mahesh Kumar***, shall remain suspended, subject to the applicant's depositing 30% of compensation amount in addition to the amount already deposited, within a period of six weeks and furnishing personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial court within the same period with condition that the applicant shall appear in Court, as and when directed and shall surrender to serve out the sentence imposed, in case the revision is ultimately dismissed.

Application stands disposed of.

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The application is disposed of with a direction to the applicant to file certified copy of the judgment dated 14.03.2023, passed by learned Judicial Magistrate, 1st Class, Anni, District Kullu, H.P., within a period of four weeks.

(Sushil Kukreja)
Judge

December 03, 2024
(reena)