

Sadh Ram Vs P.N.B.

CrMP(M) No. 2783 of 2025

28.11.2025

Present: Mr. Karan Singh Kanwar, Advocate for the applicant.

Ms. Kiran Sharma, Advocate, vice Mr. Arvind Sharma, Advocate for the respondent.

Notice. Ms. Kiran Sharma, Advocate, vice Mr. Arvind Sharma, Advocate, appears and waives service of notice on behalf of the respondent.

2. In view of the no objection, made by learned counsel, appearing for the respondent, the application, under consideration, is allowed and the delay in filing the accompanying Criminal Revision is ordered to be condoned.

3. Application is, thus, disposed of.

Cr. Revision No. _____ of 2025

4. Vide order of the even date, passed in Cr.MP(M) No.2783 of 2025, the delay in filing the Criminal Revision has been ordered to be condoned. Be registered.

5. Service complete.

6. List on 05.12.2025.

CrPMST No.10671 of 2025

7. By way of the present application, the petitioner/applicant has sought the suspension of order

of sentence dated 07.03.2024, passed by the Court of learned Judicial Magistrate First Class, Anni, District Kullu, H.P. (hereinafter referred to as the 'trial Court'), in Complaint No. 132/2018, titled as, 'Punjab National Bank Vs Sadh Ram'.

8. Vide judgment of conviction and order of sentence dated 07.03.2024, the learned trial Court has convicted the petitioner 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 one year and to pay a compensation of Rs. 9,16,879/- to the complainant. In default of payment of fine, he has been further sentenced to undergo simple imprisonment for a period of six months.

9. Aggrieved from the said judgment, petitioner has preferred Criminal Appeal No. 36 of 2024, titled as 'Sadh Ram Vs Punjab National Bank', before the Court of learned Additional Sessions Judge, Kinnaur at Rampur Bushehar, District Shimla, H.P., (hereinafter referred to as the 'Appellate Court'), which has been dismissed, vide judgment dated 11.07.2024.

10. Now, the petitioner is before this Court by way of the present Criminal Revision, which is likely to take sufficient long time, for its disposal, as such, during the

pendency of the present Criminal Revision, the order of sentence dated 07.03.2024, passed by the learned trial Court, 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) The applicant shall not leave the territory of India without the prior permission of the Court.

11. Considering the peculiar facts and circumstances of the present case that the entire settled amount has been deposited with the respondent bank, and the matter has been settled, as such, no order with regard to the payment of compensation has been passed.

12. Application is, thus, disposed of.

13. 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.

28th November, 2025

(Pramod Kumar)

(Virender Singh)

Judge