

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Rev. No. 575 of 2023

Mahendra Prasad @ Mahendra Prasad Yadav

... .. **Petitioner**

Versus

1. The State of Jharkhand and Anr.

... .. **Opposite Parties**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mrs. Rashmi Kumar, Advocate

For the Opp. Parties : Mr. Lalit Yadav, Advocate

12/27.06.2024

The matter arises of conviction of the petitioner under section 138 of the Negotiable Instruments Act.

2. A petition being I.A. No.5873 of 2024 has been filed by the petitioner seeking exemption from surrender.

3. The learned counsel for the petitioner has submitted that the petitioner is ready to settle the matter with the opposite party no.2 by paying the compensation amount which has been fixed @ Rs.10,50,000/-. She submits that an amount of Rs.2,10,000/- has already been deposited before the appellate court and therefore the differential amount of Rs.8,40,000/- is required to be deposited. She submits that a demand draft of Rs.7,90,000/- was already prepared by the petitioner and the same has been annexed along with the interlocutory application. So far as further Rs.50,000/- is concerned, some time would be required for the petitioner to deposit the amount.

4. The learned counsel for the opposite party no.2 on instruction has submitted that the opposite party no.2 is also ready to settle the present case upon receipt of the cheque amount. He submits that once the amount is deposited, the parties may file joint compromise petition.

5. At this, the learned counsel for the petitioner has submitted that the petitioner be exempted from surrender.

6. After hearing the learned counsels for the parties, I.A. No.5873 of 2024 seeking exemption from surrender is hereby allowed subject

to deposit of Rs.8,40,000/- before the learned Registrar General, High Court of Jharkhand in the following account by 05.08.2024: -

“Account No. 495810 100100 835

*Bank of India, Branch Name: Jharkhand High Court
IFSC: BKID0004958”*

7. A supplementary affidavit giving the details of the deposit be filed before this Court by 09.08.2024.
8. Post this case on 16.08.2024 for “Final Disposal”.
9. It will be open to the parties to file joint compromise petition, if so advised.
10. Let the records be called for from the court concerned.
11. Let this order be communicated to the court concerned through FAX/email.

(Anubha Rawat Choudhary, J.)

Saurav