

IN THE HIGH COURT OF JHARKHAND, RANCHI

Cr. Revision No. 623 of 2024

Pratima Devi aged about 45 years wife of Lav Kumar Pandey, resident of Village Naya Khap Mukundganj, PO and PS Muffasil, District Hazaribagh

..... Petitioner(s)

-- Versus --

1.The State of Jharkhand

2.Prabha Devi, wife of Late Anil Kumar Pandey, resident of Village Naya Khap Mukundganj, PO and PS Muffasil, District Hazaribagh...Opp.Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner(s) :- Mr. Ashok Kumar Singh, Advocate

For the State :- Mrs Amrita Sinha, Advocate

6/16.09.2025 Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent State.

2. Learned counsel appearing on behalf of the petitioner submits that this matter is arising out of Section 138 of Negotiable Instruments Act and the learned Judicial Magistrate, First Class, Hazaribagh in Complaint Case No.854 of 2020 hold the petitioner guilty and directed to undergo S.I for a period of one year for the offence under section 138 of Negotiable Instruments Act and further ordered to pay compensation of Rs.5,45,000/- to the complainant. He submits that after the said order, the petitioner has moved before the learned Sessions Judge in Criminal Appeal No.35 of 2023 which has been further dismissed by the judgment dated 17.02.2024 affirming the order of the learned trial court. He further submits that in light of the statutory provisions, 20% of the compensation amount has already been deposited by the petitioner before the learned court. He further submits that he is ready to compromise the matter and he has further come forward with the Demand Draft in the name of the complainant namely, Prabha Devi to the tune of Rs.1,64,000/-. He submits that the petitioner is ready to deposit the said Demand Draft before the learned court and in view of that, the bail may kindly be allowed to the petitioner and

the petitioner is in custody since 08.7.2025.

3. Learned counsel for the respondent State submits that the matter is arising out of Section 138 of the Negotiable Instruments Act and it is compoundable in light of Section 147 of the Negotiable Instruments Act. She submits that if 20% has already been deposited and the petitioner is ready to pay further amount of Rs.1,64,000/-, the Court can consider the bail application.

4. Admittedly, the case is arising out of Section 138 of the Negotiable Instruments Act and the petitioner has been directed to pay compensation amount of Rs.5,45,000/- and it has been pointed out that 20% has been deposited before the learned court at the time of filing of the appeal, and now the petitioner has come forward with the Demand Draft of Rs.1,64,000/- in favour of the complainant, namely, Prabha Devi.

5. In view of above, the petitioner is directed to produce the said Demand Draft before the learned court and the learned court may release the same in favour of the complainant.

6. Considering the nature of the dispute and in light of voluntarily paying the aforesaid amount, the petitioner, above named, is, hereby, directed to be released on bail, on furnishing bail bond of Rs.25,000/-, with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate, First Class, Hazaribagh in connection with Complaint Case No.854 of 2020.

7. I.A. No.9456 of 2025 filed for grant of bail to the petitioner is allowed and disposed of.

8. Issue notice upon the O.P.No.2 by registered post with A/d as well as under ordinary process for which requisites etc must be filed within a week.

(Sanjay Kumar Dwivedi, J.)

Dated: 16th Sept., 2025
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