

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**Filing No. Cr. Revision 19945 of 2024**

Ravi Singh @ Ravi Singh Dhakre, son of Girraj Singh, R/o 25/172, line no. 11,12, Patel Nagar, Jeoni Mandi, Belan Ganj, Kiraoli, PO Johns Mill and PS Chatla, Agra UP. .... .. Petitioner

Versus

1.The State of Jharkhand  
2. Jhalak Roy Maulick, son of Subrata Roy Maulick,R/o Near Devi Mandir, Bhawanipur, Doraanda, PO and PS Doranda, Distt. Ranchi (Jharkhand)  
... .. O.Ps

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**CORAM : HON'BLE MR. JUSTICE RATNAKER BHENGRA**  
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For the Petitioner : Mr. Amit Kumar, Advocate  
For the State : Mr. S. K. Tiwari, APP  
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**Order No.04/Dated: 4<sup>th</sup> October, 2024**

**I.A. No. 10450 of 2024**

When the matter is called out, the learned counsels for the parties are present.

The present Interlocutory Application has been filed on behalf of the petitioner for ignoring the defect for filing the certified copy of surrender certificate or vakalatnama from jail and allow suspension of sentence to the petitioner during pendency of this revision petition on the ground of compromise with opposite party no.2 in Complaint case No. 10546/2021 whereby and whereunder the petitioner was held guilty under section 138 of Negotiable Instrument Act and was convicted under the aforesaid section sentenced to undergo simple Imprisonment of one year and also pay fine of Rs. 6,00,000/- to the complainant by way of Compensation. In case of default, he is further sentenced to undergo simple Imprisonment of two months.

That learned court below has based its finding on its speculation presumption without fact and also on inadmissible evidence and as such the judgment and order is neither maintained in the eye of law nor is sufficient for sentencing the petitioner and is also fit to be set aside.

During the pendency of this revision petition petitioner and opposite party no: 2 compromised the matter and on 30.08.2024 signed the compromise agreement dated 30.08.2024 with the condition to settle the dispute through Jhalsa mediation process and also petitioner agreed to pay

Rs. 3,50,000/ out of which 1,20,000/- has already been paid and received by the opposite party no:-2. And petitioner is ready to pay remaining amount of Rs. 2,30,000/ in Jhalsa through process of mediation after deciding payment schedule.

In view of the above, petitioner is exempted from surrendering in the learned court below in connection with Complaint Case No. 10546 of 2021 till the next date of listing.

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Issue notice to the opposite party no.2 under registered cover with A/D as well as by ordinary process, for which, requisites etc. must be filed within three weeks.

List this case on 22.11.2024.

**(Ratnaker Bhengra, J.)**