

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Rev. Filing No. 23663 of 2024

Shashi Bhushan Singh

..... ... Petitioner

Versus

- 1. The State of Jharkhand.
- 2. Satyendra Kumar Sao

..... ... Opposite Parties

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	:	Mrs. Rashmi Kumar, Advocate.
	:	Ms. Mahi, Advocate.
For the State	:	Mrs. Amrita Kumari, A.P.P.
For the O.P. No. 2	:	Mr. Arun Kumar, Advocate.

06/ 25.11.2025 Learned counsel appearing for the petitioner submits that the matter is arising out of Section 138 of NI Act and the learned Judicial Magistrate, 1st Class, Koderma, by the judgment dated 27.02.2022 passed in C. Case No. 164 of 2020 has been pleased to hold guilty and the petitioner has been sentenced to undergo R.I. for two years with a fine of Rs. 11,00,000/- in form of compensation for having committed the offence under Section 138 of the N.I. Act and in default of payment of compensation amount, the petitioner will undergo simple imprisonment for a period of six months. She further submits that the said judgment of learned trial court has been challenged before the learned Sessions Judge, Koderma, in Criminal Appeal No. 09 of 2024, whereby the learned first appellate court has been pleased to dismiss the said appeal by order dated 26.06.2024 by way of upholding the order of the learned trial court.

2. Learned counsel appearing for the petitioner submits that I.A. No. 7083 of 2025 has been filed on behalf of the petitioner for exemption from surrender before the learned court. She submits that in view of the direction of the co-ordinate bench of this court by order dated 16.06.2025, the petitioner has already paid a sum of Rs. 4 lakhs to O.P. No. 2. She next submits that in the said order, it has already been

recorded that the petitioner will pay the remaining amount of Rs. 8 lakh to the O.P. No. 2 within eight months. She submits that petitioner has further paid Rs. 2 lakh to the complainant. She further submits that she has been instructed by the petitioner that by the end of December, 2025, the remaining amount i.e. Rs. 6 lakhs will be paid to the O.P. No. 2. On these grounds, she submits that the petitioner may kindly be exempted from surrender before the learned court.

3. Learned A.P.P. appearing for the State submits that the matter is arising out of Section 138 of the NI Act.

4. Learned counsel appearing for the O.P. No. 2 submits that the entire amount has not been paid as yet by the petitioner.

5. In view of the above and considering that as per the direction of the co-ordinate bench by the order dated 16.06.2025, petitioner has already paid a sum of Rs. 4 lakh to the O.P. No. 2 and further paid Rs. 2 lakh and on instruction, it has been submitted by the learned counsel appearing for the petitioner that the remaining amount of Rs. 6 lakhs will be paid to the O.P. No. 2 by the end of December, 2025, the court finds that exceptional ground is made out to exempt the petitioner to surrender before the learned court, under Rule 159 of the High Court of Jharkhand Rules, 2001. As such, the petitioner is exempted to surrender before the learned court.

6. The aforesaid I.A. is allowed and disposed of.

7. It is open for the petitioner and the O.P. No. 2 to file the joint compromise petition, after receiving of the remaining amount by the O.P. No. 2.

8. Office will proceed as per the procedure.

(Sanjay Kumar Dwivedi, J.)

Dated:-25.11.2025
Amitesh/-