

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Misc(Pet.) No. 2414/2026

Karan Kumar S/o Shri Om Prakash, Aged About 34 Years, House No. 20, Chak 4 Z (3Y), Tehsil And District Sriganganagar, Rajasthan. Second Address Karan Kumar S/o Shri Om Prakash, Peon, Special Auditor Cooperative Societies, Behind Circuit House, Near, Kacheri, Hanumangarh Junction Raj.

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Tavender Pal Singh S/o Late Sh. Gurdyal Singh, 8 C Block Sriganganagar Rajasthan

-----Respondents

For Petitioner(s) : Mr. Jayant Garg

For Respondent(s) : Mr. Ramesh Devasi, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

27/03/2026

Learned counsel for the petitioner submits that, in the present case, the learned trial Court, while allowing the application for suspension of sentence in the appeal filed against the conviction under Section 138 of the Negotiable Instruments Act, has imposed a condition directing the petitioner to deposit 20% of the compensation amount.

It is further submitted that the petitioner is employed as a peon, which fact has been placed on record. An application seeking relaxation of the said condition was also filed; however, the same has been rejected by the learned trial Court vide order dated 09.03.2026.

This Court has considered the submissions made and has also perused the pay slip placed on record. The gross salary of the petitioner is shown to be ₹43,938, while the net salary is ₹17,757.

In such circumstances, it can be prima facie observed that the petitioner may not be in a financial position to deposit the entire amount, particularly in view of his family responsibilities.

Accordingly, the matter requires consideration.

Issue notice.

Learned Public Prosecutor accepts notice on behalf of the respondent–State.

Let notice be issued to respondent No. 2, returnable within four weeks.

In the meanwhile, if the petitioner deposits 10% of the compensation amount, the remaining 10% as imposed by the learned trial Court vide order dated 02.01.2026 shall remain stayed. The petitioner shall deposit the said amount on or before 30.04.2026, and the same shall be accepted by the learned trial Court.

(BALJINDER SINGH SANDHU),J