

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

S.B. Criminal Miscellaneous (Petition) No. 5544/2026

CNR: RJHC010656522026

URN: CRLMP / 9873U / 2026

Naresh Kumar Nagori S/o Shri Kajodimal Nagori, Aged About 49
Years, Nagoriyo Ki Pol, Bambora, Teh. Girwa, Udaipur

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Karanmal Nagori S/o Late Shri Meghraj Nagori, 311,
Bappa Rawal Nagar, Hiranmagri Sector No. 6, Udaipur
Raj.

----Respondents

For Petitioner(s) : Mr. Ojas Shakdwipeeya

For Respondent(s) : Mr. Hanuman Prajapati, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

14/07/2026

Learned counsel for the petitioner has challenged the order dated 14.05.2026 passed by learned Additional Sessions Judge (Women Atrocities cases), Udaipur, in criminal appeal no.94/2026 against the judgment dated 13.04.2026 passed in regular criminal case no.9664/2019 passed by the learned Special Judicial Magistrate (NI Act Cases) No.5, Udaipur to waive off the condition of payment of interim compensation amount for suspension of sentence under Section 148(1) of NI Act.

Learned counsel for the petitioner has relied upon the judgment passed by the Coordinate Bench of this Court in **S.B. CRLMP No. 9802/2025**, dated **28.04.2026**, and has submitted that this Court has already held, in light of the judgment of

Jamboo Bhandari v. M.P. State Industrial Development Corporation Ltd. & Ors., reported in ***(2023) 10 SCC 446***, that such a condition is not justified, particularly when it has been imposed without assigning any reasons.

The matter required consideration.

Issue notice to the sole respondent, returnable within three weeks.

List this case on 04.08.2026.

In view of the same, the order dated 14.05.2026 passed by Additional Sessions Judge, Udaipur, in criminal appeal no.94/2026, shall remain stayed to the extent of ordering the petitioner to deposit 20% of the fine as a condition precedent for suspension of sentence.

In the meanwhile, learned trial Court is free to proceed with the matter.

(BALJINDER SINGH SANDHU),J