

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

S.B. Criminal Miscellaneous (Petition) No. 5525/2026

CNR: RJHC010659082026

URN: CRLMP / 9854U / 2026

Bhagwatilal S/o Shri Daulatram, Aged About 49 Years, Pipli Chowk, Gariyawas, Udaipur New Address 67 Satyamev Colony Near School Savina Kacchi Basti Udaipur Second Address 4/130 Amannagar Extension Panthanayakan Palya, S.s. Kulam (Wali) Kalli Paliyam South

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Mangilal S/o Shri Nawalram Salvi, 28/142, Nikita Niwas, In Front Of Shiv Temple, Gariyawas, 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 11.02.2025 passed by Additional Sessions Judge, (SC/ST Act Cases) Udaipur, in criminal appeal no.118/2025 against the judgment dated 03.01.2025 passed in regular criminal case no.11258/2017 passed by the learned Special Judicial Magistrate (NI Act Cases) No.8, 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 11.02.2025 passed by Additional Sessions Judge (SC/ST Act Cases), Udaipur, in criminal appeal no.118/2025, 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