

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. SOS(R) No.554/2025

In

S.B. Criminal Revision Petition No. 2170/2025

Rakesh Chaudhary S/o Shri Jaiprakash Chaudhary, Aged About 45 Years, R/o Neem Darwaja Bharatpur (Rajasthan) (Accused Petitioner At Present Confined In Jail Bharatpur)

-----Petitioner

Versus

Punjab National Bank, Main Office 7, Bhikaeji Kama Place Africa Avenue New Delhi Through Shri Kamlesh Kumar Gupta Chief Manager Punjab National Bank Branch Nayi Mandi Bharatpur District Bharatpur (Rajasthan)

-----Respondent

For Petitioner(s)	:	Mr. Dushyant Singh Naruka
For Respondent(s)	:	

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

09/12/2025

1. This revision petition has been filed under Section 438 read with Section 442 BNSS against the judgment dated 09.10.2025 passed by Additional Sessions Judge No.3, Bharatpur in Cr. Appeal No. 04/2021 whereby the appeal filed by the accused petitioner has been dismissed and judgment dated 14.12.2020 passed by Judicial Magistrate No.3, Bharatpur in Cr. Case No. 497/2017 has been affirmed by which the petitioner was convicted for the offence under Section 138 of N.I. Act and sentenced accordingly.

2. I have heard the contentions of the learned counsel for the petitioner on the application for suspension of sentence and perused the material available on record.

3. Learned counsel appearing for the petitioner has submitted that impugned orders are illegal, perverse and unsustainable having been passed without proper appreciation of the material available on record. He further submitted that petitioner was on bail during trial and appeal as well and is presently behind the bars. Learned counsel also submits that petitioner is ready to deposit the amount as ordered by this Court.

4. Taking into consideration the provision of Section 148 of the Negotiable Instruments Act, 1881 and all the facts and circumstances of the case, the application for suspension of sentence is allowed. The sentence of the petitioner **Rakesh Chaudhary S/o Shri Jaiprakash Chaudhary** shall remain suspended till disposal of the revision provided he deposit 50% of the amount (including the amount already deposited) by way of Demand Draft in the name of complainant before the learned trial court and also furnish a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each, to the satisfaction of the trial Court to the effect that he shall appear before this Court on 12.01.2026 and as and when called upon to do so.

6. It is also ordered that the original Demand Draft shall be delivered to the complainant subject to an undertaking to be furnished by the complainant before the learned trial court to the

effect that in case the revision petition is decided against them, they shall refund the aforesaid amount along with interest @ 7% per annum.

7. A copy of this order be sent to the concerned trial court for compliance.

8. The application is accordingly disposed of.

(PRAMIL KUMAR MATHUR),J