

Court No. - 81

Case :- MATTERS UNDER ARTICLE 227 No. - 7495 of 2023

Petitioner :- Smt. Ranjana Devi Gupta

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Bed Prakash Rai

Counsel for Respondent :- G.A.

Hon'ble Mrs. Jyotsna Sharma,J.

1. None appears for the petitioner.
2. Heard Mohd. Sohaib Khan, learned A.G.A. for the State and perused the record.
3. Respondent no.2 filed a case under Section 138 N. I. Act against the petitioner Smt. Ranjana Devi Gupta in which he was convicted and sentenced to undergo four months imprisonment and fine of Rs.7 lac by order dated 22.05.2023 and that order was challenged by the accused person in Criminal Appeal No.30 of 2023 and the same is pending. The petitioner has challenged the order dated 26.06.2023 passed by appellate court by which he was directed to deposit Rs.1,40,000/- in the court concerned within 15 days from the date of order dated 26.06.2023. Notably this order was passed at the time of admission of appeal in terms of provision of Section 148 of N.I. Act which provides that appellate court may order the appellant to deposit such sum which shall be minimum of 20% of the fine/compensation. As per Section 148(2) such amount is required to be deposited within 60 days from the date of order. The Section 148(2) also provide for extension of time upto 30 days on sufficient cause shown.
4. The only prayer of the petitioner is for extension of time limit for depositing the fine amount.
5. In my view, the petitioner could have approached the court concerned for extension of time but it appears that he did not apply for the same.
- 6.The petition is misconceived and is, therefore, **dismissed**.
7. A copy of this order be transmitted to the court concerned.

Order Date :- 12.12.2023

Asha