

Dalip Singh Vs. Manoj Kumar

Cr. MP(M) No. 2866 of 2025

30.12.2025 Present: Mr. Pushpender Kumar, Advocate
vice Mr. K.B. Khajuria, Advocate, for
the applicant.

Mr. Ajay Kumar Thakur, Advocate,
for the respondent/non-applicant.

In view of no objection made by
learned counsel for the
non-applicant/respondent, delay in filing the
present Cr. Revision is ordered to be condoned.
The application is, thus, disposed of.

Cr. Revision No. _____

Vide order of even date passed in Cr.
MP(M) No. 2866 of 2025, delay in filing the
present Cr. Revision has been ordered to be
condoned.

Be registered.

Call for the records. List after eight
weeks.

Cr. M.P.ST No. 10694 of 2025

By way of present application, under
Section 438(1) of Bharatiya Nagarik Suraksha
Sanhita, 2023, petitioner/applicant has sought the
suspension of order of sentence, dated 29.7.2024,
passed by the learned Additional Chief Judicial
Magistrate, Court No. 1, Rohru, District Shimla, H.P.

(hereinafter referred to as 'the trial Court'), in Criminal Case No. 85-3 of 2021, titled as, 'Manoj Kumar versus Dalip Singh', whereby the learned trial Court, vide judgment of conviction, dated 24.7.2024, and order of sentence dated 29.7.2024, has convicted the applicant, for the commission of offence, under Section 138 of N.I. Act and sentenced him to undergo simple imprisonment for a period of four months and to pay fine of Rs. 2,50,000/-. In case of default, he has been sentenced to further undergo simple imprisonment, for a period of one month.

The said judgment of conviction and order of sentence have been affirmed by the learned Addl. Sessions Judge, Rohru, District Shimla, H.P. (hereinafter referred to as 'the Appellate Court'), vide judgment dated 31.5.2025, in Cr. Appeal No. 63 of 2024, titled as, 'Dalip Singh versus Manoj Kumar'.

Since the revision against the judgment of conviction and order of sentence, as referred to above, will take sufficient long time, for its disposal, as such, the order of sentence dated 29.7.2024, is suspended during the pendency of the present Cr. revision, subject to the following conditions:

(i) That applicant shall furnish personal bond in the sum of Rs. 50,000/-, alongwith one surety of the like amount, to the satisfaction of the learned trial Court, within a period of eight weeks from

today, with an undertaking that in the event of final dismissal of the revision petition, he will surrender before the learned trial Court to serve the remainder substantive sentence;

(ii) That the applicant shall deposit 30% of the total amount of compensation with the learned trial Court, within a period of eight weeks from today, which shall be in addition to the amount, if any, already deposited by the applicant;

(iii) That the applicant shall not leave the country without the prior permission of the Court.

The application is, thus, disposed of.

A copy of this order be sent to the learned trial Court, with the direction that the report of compliance of this order be submitted to this Court, on or before the next date of hearing.

Cr. MPST No. 10695 of 2025

The application is allowed with a direction to the applicant to do the needful, as and when, directed by the Court to do so. The application is, thus, disposed of.

(Virender Singh)
Judge

December 30, 2025
(kalpana)