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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010681172025

+ **CRL.M.C. 6543/2025**

A P SAXENA

.....Petitioner

Through: **Mr. Avneesh Saran, Advocate.**

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: **Ms. Manjeet Arya, APP.**

**Dr. Nityanand Singh, M. Disha
Bagaria and Ms. Neha Chatwal,
Advocates for R-2.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **24.08.2026**

CRL.M.A. 25899/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.A. 25898/2026 (for early hearing)

By way of the present application, the petitioner seeks early hearing of the captioned petition.

With the consent of Ms. Manjeet Arya, learned Additional Public Prosecutor, and Dr. Nityanand Singh, learned counsel for respondent No. 2, and for the reasons stated in the application, the same is allowed. The captioned petition is accordingly taken on Board.

The application is disposed of.



CRL.M.C. 6543/2025

1. The petitioner was the accused in proceedings under Section 138 of the Negotiable Instruments Act, 1881, instituted by respondent No. 2. The proceedings were in respect of the dishonour of a cheque dated 25.08.2014 for a sum of Rs. 7,00,000/-. He was convicted by order dated 06.12.2023 passed by the learned Magistrate. By an order on sentence dated 18.12.2023, the learned Magistrate sentenced the petitioner to imprisonment for a period of three months and directed him to pay a fine/compensation of Rs. 14,00,000/-, in default of which he was to undergo simple imprisonment for a further period of three months.
2. The petitioner has filed an appeal against the aforesaid judgment and order on sentence, which is pending before the learned Sessions Court.
3. The present petition assails, *inter alia*, an order dated 22.01.2024, whereby the learned Sessions Court admitted the petitioner's appeal and suspended the sentence, subject to the petitioner depositing 20% of the fine amount within a period of 30 days. Since the petitioner failed to comply with the said condition, *vide* orders dated 06.05.2024 and 05.07.2024, the suspension of sentence was subsequently vacated, and Non-Bailable Warrants ["NBWs"] were issued against him. A proclamation has also been issued against the petitioner under Section 84 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [corresponding to Section 82 of the Code of Criminal Procedure, 1973].
4. Mr. Avneesh Saran, learned counsel for the petitioner, further submits that, *vide* order dated 02.04.2026, the learned Sessions Court has closed the petitioner's right to address arguments in the appeal, on



account of non-appearance. A copy of the said order has been handed up in Court, and is taken on record.

5. During the course of hearing, Mr. Saran and Dr. Singh have arrived at a consensus with regard to the manner in which the present proceedings may be brought to a close. Mr. Saran, upon instructions, submits that the petitioner is willing to deposit the entire compensation amount of Rs. 14,00,000/- and seeks permission to discharge the said liability by way of installments, for which he seeks reasonable time. He seeks suspension of sentence in the meantime. Dr. Singh, upon instructions from respondent No. 2, who is present in Court, states that respondent No. 2 has no objection to the petitioner being permitted to make the payment in installments.

6. Having heard learned counsel for the parties and with their consent, the petition is disposed of in the following terms:

- a) In terms of the order dated 21.08.2026, the petitioner shall deposit a sum of Rs. 3,50,000/- before the learned Sessions Court on or before the next date of hearing. I am, however, informed that the date of 27.08.2026 mentioned in paragraph 3 of the order dated 21.08.2026 is erroneous, and that the matter is, in fact, listed before the learned Sessions Court on 25.08.2026. Mr. Saran submits that the aforesaid amount shall be deposited by the petitioner by 25.08.2026.
- b) The second installment of Rs. 3,50,000/-, which would cover the balance amount of the original cheque, shall be deposited within six weeks thereafter, i.e. on or before 06.10.2026.
- c) The remaining two installments of Rs. 3,50,000/- each shall be



deposited on or before 31.03.2027 and 30.06.2027, respectively.

7. The aforesaid amounts shall be deposited before the learned Sessions Court and may be released to respondent No. 2 by the Court. The learned Sessions Court is requested to list the matter, as required, for compliance with the aforesaid directions.

8. It is made clear that the petitioner consents to the aforesaid arrangement and does not wish to press the appeal before the learned Sessions Court on merits. In the event of any default in complying with the aforesaid directions, the learned Sessions Court may pass appropriate orders in accordance with law.

9. The petition, alongwith any pending application, stands disposed of.

10. The next date of hearing, i.e. 14.09.2026, stands cancelled.

11. A copy of the order be given *dasti* under the signature of the Court Master.

PRATEEK JALAN, J

AUGUST 24, 2026

SS/SD/