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

+ CRL.M.C. 2787/2017 & CrI.M.A.No.11496/2017

SANJEEV VOHRA

..... Petitioner

Through: Mr.Sudhir Nagar, Advocate with Ms.Tulika
Bhatnagar, Advocate

versus

STATE & ORS

..... Respondents

Through: Ms.Meenakshi Dahiya, APP
Mr.Nadeem Abbasi, Advocate for R-3

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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24.10.2017

The Trial Court has allowed the application under Section 145(2) of the Negotiable Instruments Act and permitted the cross-examination of petitioner by the private respondent-accused.

Petitioner preferred a revision petition on various grounds including that Trial Court had wrongly ordered for release of respondent No.2 on furnishing personal bond and with one surety of ₹40,000/- ; instead of ordering furnishing the surety equivalent to cheque amount. Further grievance was that the Trial Court extended the time for furnishing personal bond/surety bond, in as much as framed notice under Section 251 Cr.P.C.

without seeking compliance of its order of furnishing personal bond/surety bond by the respondent No.2.

Revisional Court has held that grievance of petitioner that Trial Court ought not have framed notice under Section 251 Cr.P.C. and allowed the application under Section 145(2) of the Negotiable Instruments Act, 1881, without insisting upon the furnishing of surety bond by the respondent No.2 is frivolous, since there was no bar of framing the notice under Section 251 Cr.P.C after accused had appeared in Court. During the course of hearing the only argument advanced by the learned counsel for the petitioner is that cost imposed is on the higher side. I do feel that cost is on the higher side. Accordingly, the cost of ₹1,00,000/- is reduced to ₹25,000/-. Let the cost be now deposited in the Prime Minister's Relief Fund within 2 weeks.

The petition is disposed of.

Miscellaneous applications are disposed of as infructuous.

A.K. PATHAK, J.

OCTOBER 24, 2017

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