

\$~26

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

+ CRL.M.C. 3222/2018 and Crl. M.A. no. 11364/2018

M/S. SETHI ANIL KUMAR & COMPANY & ANR..... Petitioners
Through Mr. Amarjit Singh Bedi and Mr.
Varun Chandiok, Advs.

versus

STATE & ANR. Respondents
Through Ms. Aashaa Tiwari, APP

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **02.07.2018**

By this petition under Section 482 Cr.P.C., petitioners have prayed that appeal of the petitioners be heard by the Appellate Court without imposing the pre-condition of furnishing the FDR of ₹1,50,000/-. It is submitted that petitioners shall deposit the fine component of ₹25,000/- before the trial court within one week. It is further submitted that petitioners are not in a position to furnish FDR of ₹1,50,000/- due to financial crisis. This is a case where petitioners have been convicted under Section 138 of the Negotiable Instruments Act, 1881 and fine of ₹25,000/- has been imposed. Rest of the amount is towards the compensation. Appellate Court

has directed for furnishing the FDR of ₹1,50,000/-. In my view, appeal may be heard without insisting the appellant to deposit the compensation award. Accordingly, order of Appellate Court regarding deposit of ₹1,50,000/- in the shape of FDR is set aside. Appellate Court shall hear the appeal and dispose of the same without insisting the furnish of the FDR of ₹1,50,000/-. Petitioners shall deposit fine of ₹25,000/- with the trial court within one week.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

JULY 02, 2018
r.bararia