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

% Judgment delivered on: 23.10.2018

- + CRL.M.C. 5395/2018 & CrI.M.A.34760/2018 & 34761/2018
- + CRL.M.C. 5396/2018 & CrI.M.A.34762/2018 & 34763/2018
- + CRL.M.C. 5397/2018 & CrI.M.A.34764/2018 & 34765/2018
- + CRL.M.C. 5394/2018 & CrI.M.A.34758/2018 & 34759/2018
- + CRL.M.C. 5369/2018 & CrI.M.A.34669/2018 & 34670/2018

SANJEEV SAHDEV

..... Petitioner

versus

THE STATE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr.Ankit Sharma, Advocate.
For the Respondent : Mr.Izhar Ahmed, Addl. PP for the State

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

23.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns five orders all dated 10.09.2018 whereby the Appellate Court has extended time for deposit of the fine amount till 23.10.2018.

2. In each of the five cases, Petitioner was convicted of the

offence under Section 138 of the Negotiable Instruments Act for dishonour of cheques totalling to Rs. 20,49,252/-.

3. Trial Court imposed a total fine of Rs. 31,00,000/-. Petitioner filed an appeal impugning the orders whereby petitioner has been convicted. While issuing notice in the appeals, the Appellate Court, by order dated 25.07.2018, directed the petitioner to deposit fine equivalent to the cheque amounts i.e. Rs. 20,49,252/-.

4. Petitioner thereafter filed petitions under Section 482 of the Code of Criminal Procedure being CrI.Rev.P. 4451/2018 and other connected petitions impugning the condition for deposit of the fine amount.

5. On 04.09.2018, Petitioner withdrew said petitions with liberty to approach the Appellate Court for extension of time for deposit of the fine amount.

6. The Trial Court by the impugned order has extended the time till today i.e. 23.10.2018.

7. In view the fact that petitioner on 04.09.2018, has withdrawn the petitions impugning order dated 25.07.2018, no relief can be granted to the petitioner, in so far as the quantum of fine is concerned. Petitioner cannot be permitted to once again impugn order dated 25.07.2018, whereby condition for deposit of Rs. 20,49,252/- was imposed.

8. Petitioner who is present in person and is represented by his counsel submits that the fine amount directed to be deposited is a huge amount and he has a good case on merits. He prays that two months further time be granted to the petitioner to deposit the fine amount.

9. Keeping in view of the facts and circumstances of the case, petitioner is granted further time to deposit the fine amount in two instalments.

10. Petitioner who is present in person in court submits that he shall deposit Rs. 10 lakhs within one month from today i.e. by 23.11.2018 and the balance amount of Rs. 10,49,252/- within one month thereafter i.e. by 23.12.2018.

11. The petitions are accordingly disposed of in the above terms.

12. Order dasti under the signature of the Court Master.

OCTOBER 23, 2018
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SANJEEV SACHDEVA, J