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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 139/2019**
SANJIV JAIN Petitioner

Through: Mr. Ankit Jhamb, Ms. Ekta,
Mr. Manish Kumar & Mr.
Aman Gupta, Advocates

versus

THE STATE (NCT OF DELHI) & ANR Respondents
Through: Mr. Kamal Kumar Ghai, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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04.02.2019

CRL.M.A. 2563/2019

Allowed, subject to all just exceptions. The application is disposed of.

CRL.REV.P. 139/2019 & CRL.M.A. 2562/2019

1. This is a petition under Sections 397/401 of the Code of Criminal Procedure, 1973 (Cr. PC) against the impugned order 15.1.2019 passed by the Additional Sessions Judge, Tis Hazari Courts, Delhi for setting aside or quashing or modifying the condition for suspension of sentence.

2. Learned counsel for the petitioner submitted that the Trial Court, vide order dated 15.1.2019 on the application of the petitioner under Section 389(2) of the Cr. PC, suspended the sentence during the pendency of the appeal, subject to deposit

of Rs.7,50,000/- before the Trial Court within three weeks.

3. Learned counsel for the petitioner further submitted that the financial position of the petitioner is not sound and the amount of Rs.7,50,000/- directed to be deposited is quite onerous and the same be reduced to Rs.4,00,000/-. However, after some arguments, learned counsel for the petitioner submitted that the petitioner may be granted some more time to deposit the impugned amount of Rs.7,50,000/-.

4. Accordingly, taking into consideration the submissions of learned counsel for the petitioner, the petitioner is granted six weeks' more time from today to deposit the impugned amount of Rs.7,50,000/- before the Trial Court.

5. In view of the aforesaid facts, learned counsel for the petitioner seeks permission to withdraw the present petition. Accordingly, the petition is dismissed as withdrawn. However, it is clarified that this Court has not expressed any opinion on the merits of the petition.

Dasti.

CHANDER SHEKHAR, J

FEBRUARY 04, 2019

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