

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 89 of 2021

Smt. Shobha Mishra, W/o Sanjay Kumar Mishra, Aged About 57 Years,
(at present) Occupation Service, R/o Diwanpara Ward No. 22,
Rajnandgaon, Tahsil & District- Rajnandgaon (C.G.)

--- Applicant

Versus

Ramesh Kumar Chouhan, S/o Late Shri Jagjivan Chouhan, R/o Kamla
College Road, Rajnandgaon Tahsil & District- Rajnandgaon (C.G.)

--- Respondent

For Applicant	:	Mr. C.R. Sahu, Advocate.
For Respondent	:	None.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15/03/2021

1. Notice issued to the respondent has been returned served, but there is no appearance and no representation.
2. Heard.
3. This revision petition has been brought against the order dated 21.01.2021 passed by the learned Additional Sessions Judge, Rajnandgaon, District- Rajnandgaon (C.G.) in Criminal Appeal No. 13/2018, upholding the conviction of the applicant under Section 138 of the Negotiable Instrument Act, 1881, modifying the sentence, directing the applicant to make payment of Rs. 4,25,000/- as compensation to the respondent.
4. Out of the amount of compensation as ordered, the applicant has

already paid Rs. 2,55,000/- and only Rs. 1,70,000/- is remaining to be paid.

5. It is submitted by learned counsel for the applicant, that the present revision petition is not against order of conviction passed by the learned Appellate Court. The only grievance of the applicant is this, that the time granted for making payment of remaining amount, is only one month. The applicant is unable to make such payment within the time given, therefore, this time may be extended for a period of six months.
6. Considered on the submissions.
7. The respondent has already been given opportunity to make submission, but the same has not been availed by him, therefore, this revision petition is allowed and disposed of at motion stage.
8. The conviction and the order of compensation passed by the Appellate Court by the impugned order, is confirmed. As prayed by learned counsel for the applicant, the time granted for payment of remaining amount of Rs. 1,70,000/- to the respondent, is hereby modified. The time granted earlier is further extended for a period of six months from the date, this order is passed.
9. In view of the above, the instant revision petition is disposed of at motion stage itself.

Sd/-
(Rajendra Chandra Singh Samant)
Judge