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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 715/2024, CRL.M.A. 21715/2024**
PRAMOD MONGAPetitioner

Through: Dr. Amit George, Mr. Nitesh Mehra,
Ms. Ibansara Syiemlieh, Mr. Anant
Garg, Mr. Angel Bhardwaj and
Mr. Shashwat Kabi, Advocates.

versus

STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Yudhvir Singh Chauhan, APP
with Mr. Pramod Kumar Thakur,
Mr. Ajay Kumar Mishra,
Mr. Parmanand Prasad, Mr. Ranjan
Kumar Jha, Mr. Rhythmsheet
Srivastava, Mr. Dhananjay Kumar
Mishra and Ms. Harshwati, Advocates
for State / R-1.
Mr. Bharat Sharma, Mr. Deepankar
Tripathi and Ms. Priyanka Sharma,
Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **25.07.2024**

CRL.M.A. 21714/2024

An application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for early hearing.

Issue notice. Learned APP for the State and learned counsel for respondent No. 2 appear on advance notice and accept notice.



Allowed. The matter is taken up for hearing.

Application stands disposed of.

CRL.REV.P. 715/2024, CRL.M.A. 21715/2024

1. Criminal Revision Petition under Section 397 of Cr.P.C. has been preferred on behalf of the petitioner challenging order dated 08.05.2024 passed by learned ASJ, North-West, Rohini Courts, Delhi, in proceedings under Section 138 NI Act, whereby petitioner was directed by the learned ASJ/Appellate Court to deposit 20% of the compensation amount within sixty days from the order dated 08.05.2024.

2. Learned counsel for petitioner submits that the case is listed before learned Appellate Court on 26.07.2024 and in case, the proceedings are not stayed adverse orders may follow.

Reliance is further placed upon *Jamboo Bhandari vs. Madhya Pradesh State Industrial Development Corporation Ltd. & Ors.*, 2023 (10) SCC 446, to contend that directions for deposit of 20% of amount are in conflict with the ratio laid down in the aforesaid case. It is urged that deposit of 20% of compensation amount has been directed by learned Appellate Court in appeal, in routine though the same is not an absolute rule and the court is required to consider whether the case falls in exception or not.

3. Learned counsel for respondent No. 2 submits that in case, appeal is directed to be disposed of in a time bound manner, the deposit of 20% of the compensation amount, as directed vide order dated 08.05.2024 by the learned Trial Court, shall not be insisted upon.

4. Considering the totality of the facts and circumstances, without expressing any opinion on the merits of the case, learned Trial Court is directed to dispose of the appeal within a period of sixty days from the date



fixed before learned Appellate Court, without insisting upon deposit of 20% of the compensation amount, as directed vide order dated 08.05.2024.

Petitioner also undertakes not to seek an adjournment before the learned Appellate Court.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to the learned Appellate Court for information and compliance.

Next date of hearing, i.e. 11.11.2024 stands cancelled.

ANOOP KUMAR MENDIRATTA, J.

JULY 25, 2024/R