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

+ **CRL.M.C. 6322/2024 & CRL.M.A. 24173/2024**

KASHYAP SRIVASTAVA

.....Petitioner

Through: Mr. Vikas Verma & Mr. Mayank
Choudhary, Advocates.

versus

SUNIL KUMAR

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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14.08.2024

CRL.M.As. 24171/2024, 24172/2024 (Exemptions)

1. Allowed, subject to all just exceptions.
2. The applications are disposed of.

CRL.M.C. 6322/2024

3. The present Petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the petitioner seeking to set aside the Order dated 21.05.2024 passed by the learned Additional Sessions Judge, South District, Saket Court, New Delhi in Criminal Appeal No. 149/2024, wherein the Application of the petitioner seeking to waive condition of 20% fine amount to be deposited while suspending the sentence of the petitioner while suspending the sentence of the petitioner imposed *vide* Order dated 20.04.2024, was dismissed.
4. Learned counsel for the petitioner submits that the financial condition of the petitioner is not sound to deposit 20% of the fine amount which



comes Rs. 15,40,000/-.

5. Learned counsel for the petitioner has relied upon the rough receipts maintained by the respondent himself, disclosing the manner of payment returned/repaid by the petitioner to the respondent from time to time.

6. The Order dated 20.04.2024 shows that learned Trial Court has considered all the facts while suspending the sentence of the petitioner, subject to deposit of 20% of the fine amount.

7. In view of above, there is no infirmity in the impugned Order dated 21.05.2024. The present petition along with pending application is hereby dismissed.

NEENA BANSAL KRISHNA, J

AUGUST 14, 2024
S.Sharma