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

+ **CRL.M.C. 60/2025 & CRL.M.A. 300/2025**

RAMESH KAKAR

.....Petitioner

Through: Mr. Sanyam Tandon, Adv.
through V.C.

Versus

NITIN GUPTA

.....Respondent

Through: Mr. Parth Mahajan, Adv.

+ **CRL.M.C. 61/2025 & CRL.M.A. 302/2025**

RAMESH KAKAR

.....Petitioner

Through: Mr. Sanyam Tandon, Adv.
through V.C.

Versus

SOHAN LAL GUPTA

.....Respondent

Through: Mr. Parth Mahajan, Adv.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

28.03.2025

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1. By the present petition, the petitioner challenges the orders dated 01.10.2024 and 20.12.2024, passed by the learned Additional Sessions Judge, West District, Tis Hazari Courts, Delhi in CA No. 283/2024.
2. The petitioner was convicted of the offence under Section 138 of the Negotiable Instruments Act, 1881 ('NI Act') by judgment dated 30.07.2024. Further, by order on sentence dated 13.08.2024, the petitioner was sentenced to pay fine for a sum of ₹1,75,00,000, and in default to undergo simple imprisonment for a period of 8 months.
3. By impugned order dated 01.10.2024, the learned ASJ, in

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the appeal preferred by the petitioner, suspended the operation of the order on sentence subject to deposit of 20% of the fine amount in the form of FDR.

4. Subsequently, the petitioner prayed for an extension of time for the deposit of 20% compensation amount. The extension of 30 days time to deposit the said amount was granted by the learned ASJ by order dated 14.11.2024.

5. The orders, it appears, were challenged by the petitioner by filing a Petition being CRL. M.C. 9822/2024 and CRL. M.C. 9826/2024 before this Court. The order dated 13.12.2024 passed by this Court indicates that the petitioner withdrew the petitions with liberty to move a fresh application before the learned Trial Court seeking further extension of time for compliance of the order dated 01.10.2024.

6. By impugned order dated 20.12.2024, the learned ASJ further extended the time to deposit the money till 13.01.2025.

7. In compliance of the earlier order passed by this Court, the petitioner has filed his bank statement. The same indicates that there has been yearly deposit of more than ₹7 lakhs.

8. In the opinion of this Court, the petitioner after having challenged the order dated 01.10.2024 on an earlier occasion in CRL. M.C. 9822/2024 and CRL. M.C. 9826/2024, cannot be permitted to assail the said order again.

9. Limited liberty granted to the petitioner was to seek extension of time from the learned Trial Court. The time has been extended by the learned ASJ from time to time.

10. However, considering the bank statement as produced before this Court, further two months' time is granted to the petitioner to comply with the order dated 01.10.2024.

11. The present petitions are partly allowed in the aforesaid CRL.M.C. 60/2025 & CRL.M.C. 61/2025



terms.

12. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

MARCH 28, 2025

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