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

+ CRL.M.C. 2819/2025, CRL.M.A. 12621/2025 (stay)
SONIA ARORAPetitioner

Through: Mr. Devesh Pratap Singh and Mr.
Akash Bansal, Advocates.

versus

RAHUL KUMARRespondent

Through: None

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
28.04.2025

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CRL.M.A. 12622/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

CRL.M.C. 2819/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner, Sonia Arora, to challenge the two Orders both dated 21.01.2025. *Vide* one Order, the Application under Section 391 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.P.C.'*), for cross-examination of the Complainant, which has been denied during the trial of the Complaint under Section 138 of the Negotiable Instrument, Act was sought but was dismissed.
4. Second Application under Section 148 of the Negotiable Instrument Act, was decided whereby the Petitioner was directed to deposit 20% of the fine compensation. Insofar, as the Order dated 20.01.2025 *vide* which the

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learned Appellate Court has dismissed the Application under Section 391 Cr.P.C., for cross-examination of the Complainant is concerned, it is hereby held that the same be agitated after the decision on the Appeal by the learned ASJ, for which liberty is granted.

5. Insofar as, the Order in the Application under Section 148 of the N.I. Act, directing deposit of 20% of compensation amount is concerned, the Petitioner is directed to deposit 20% of the cheque amount instead of fine compensation as directed by the learned ASJ, within four weeks from today.

6. The Petition is disposed of along with the pending Application subject to the outcome of the Judgment.

7. The suspension of sentence is stayed subject to deposit of 20% of the cheque amount within four weeks, before the learned Trial Court.

NEENA BANSAL KRISHNA, J

APRIL 28, 2025/RS