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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5831/2025, CRL.M.A. 24927/2025 & CRL.M.A. 24926/2025**

CHETAN KOHLI

.....Petitioner

Through: Mr. Anand Verdhan Maitreya,
Advocate (*through VC*).

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for
State.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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25.08.2025

1. The petitioner has assailed orders dated 31.05.2025 and 12.07.2025 passed by the appellate court where his conviction under Section 138 Negotiable Instruments Act was challenged by the petitioner. It appears that the petitioner was convicted under Section 138 Negotiable Instruments Act and was directed to pay fine of Rs. 4,00,000/- failing which he was to undergo simple imprisonment for two months in default. By way of impugned order dated 31.05.2025, learned appellate court admitted the appeal and stayed the sentence subject to deposit of 20% of compensation by way of fixed deposit in the name of the trial court within 30 days. Thereafter, petitioner filed an application seeking waiver of the amount to be deposited and that application was disposed of by way of the second impugned order dated 12.07.2025, rejecting the application for waiver.
2. Para 8 of the impugned order dated 12.07.2025 lays down the



reasoning behind rejection of the application for waiver of the amount.

3. After addressing partly, learned counsel for petitioner on instructions seeks permission to withdraw this petition with liberty to deposit the 20% of compensation amount in terms with order dated 31.05.2025 within two months.

4. Accordingly, the petition is dismissed as withdrawn with liberty as sought. However, it is made clear that if the 20% of compensation amount in compliance with order dated 31.05.2025 is not deposited by the petitioner on or before 24.10.2025, the learned trial court shall initiate appropriate proceedings in accordance with law. Copy of this order be sent to the learned appellate court as well as learned trial court. Pending applications stand disposed of.

GIRISH KATHPALIA, J

AUGUST 25, 2025

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