IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MMO No.380 of 2026
Date of Decision: 27.04.2026

Rajeev Kumar

…….Petitioner

Versus

Mast Ram

… Respondent

Coram:
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting? [1]

For the Petitioners: Mr. Ashok K. Tyagi, Advocate.

For the Respondents: Nemo.

Sandeep Sharma, Judge(oral):

Petitioner herein, being aggrieved by order dated 24.03.2026, whereby an application under Section 148(2) of Negotiable Instruments Act, praying therein for extension of time, came to be dismissed, has approached this Court in the instant proceedings filed under Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023, praying therein to set aside the afore order and grant one last opportunity to do the needful in terms of order dated 27.11.2025 and 11.02.2026 passed by learned Court below.

2. Having regard to the nature of prayer and order proposed to be passed in the instant proceedings, this Court sees no necessity to issue notice to the respondent and the matter can be disposed of at

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[1] *Whether the reporters of the local papers may be allowed to see the judgment?*

this stage on the basis of pleadings adduced on record by the petitioner.

3. Admittedly, in the case at hand, the learned Additional Sessions Judge, Paonta Sahib, District Sirmaur, Himachal Pradesh, while staying the substantive sentence imposed by learned trial Court, granted time to the petitioner on two occasions to deposit the amount in terms of order dated 27.11.2025, yet he failed to deposit same, as such, the Court below had no option, but to reject the request of the petitioner for extension of time, especially when period of 90 days was over. Though this Court finds no illegality or infirmity in the impugned order, but having taken note of statement made by learned counsel for the petitioner that 20% of the amount in terms of order dated 27.11.2025 already stands deposited as is evident from Annexure P-5, this Court sees no impediment in granting one more opportunity to the petitioner to comply with order dated 27.11.2025, as such, learned Additional Sessions Judge is directed to accept 20% of the amount, if already deposited by the petitioner in terms of afore order, but in case amount has not been deposited, no further time shall be granted to the petitioner and necessary consequences of non-compliance with the aforesaid order shall follow. Ordered accordingly. In case 20% of the amount is found to be deposited as has been stated by learned counsel for the petitioner, petitioner shall be permitted to furnish personal bond in the sum of Rs.50,000/- with one

surety in the like amount within one week in terms of order dated 27.11.2025.

The petition stands disposed of in the aforesaid terms, alongwith all pending applications.

(Sandeep Sharma),
Judge

April 27, 2026
(sunil)