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

+ **CRL.M.C. 4398/2026 & CRL.M.A. 17843/2026 (Stay)**

SAURABH KUMAR PANDEY

.....Petitioner

Through: Mr. Tanvir Ahmed Mir, Sr. Adv. with
Mr. Randeep Sachdeva, Mr. Mukund
Sharma, Mr. Vatsal S. Chadha, Ms.
Ariana D. Ahluwalia, Mr. Daksh
Sachdeva, Advs.

versus

MS GEETI BHAGAT

.....Respondent

Through: Mr. Somdev Tiwari, Mr. Vansh
Shrivastava, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **03.06.2026**

1. This hearing has been done through hybrid mode.

CRL.M.A. 17839/2026 (Exemption), CRL.M.A. 17840/2026 (Exemption),

CRL.M.A. 17841/2026 (Exemption from filing legible copy of annexure)

2. Allowed, subject to all just exceptions. These applications stand disposed of accordingly.

CRL.M.C. 4398/2026, CRL.M.A. 17842/2026 (exemption from list of dates) & CRL.M.A. 17843/2026 (Stay)

3. The present petition under section 528 of the BNSS, 2023 seeks the following prayers: -

“A. Call for and examine the record of C.A. Nos. 62, 63, 64 and 65 of 2025 from the Ld. Additional Sessions Judge, South District, Saket Courts, New Delhi;



B. Compound the offence under Section 138 of the Negotiable Instruments Act, 1881 in C.A. Nos. 62, 63, 64 and 65 of 2025 upon the Petitioner depositing Rs. 1,08,17,187/- (being the residual cheque amount of Rs. 1,00,62,500/- plus costs of Rs. 7,54,687/- at 7.5% in terms of *Sanjabij Tari v. Kishore S. Borcar*, (2025) ibclaw.in 385 SC) before this Hon'ble Court or before such court as may be directed, and thereupon DIRECT the complaint cases to be disposed of as compounded and the Petitioner to be acquitted;

C. In the alternative, Set aside the Impugned Order dated 30.05.2026 and DIRECT the Ld. ASJ to decide the Section 147 application afresh, giving full credit for Rs. 5,72,50,000/- paid by co-Accused No. 3 toward the joint liability, treating the Petitioner's residual exposure as Rs. 1,00,62,500/-, conducting the full two-limb Para 39 exercise as directed in *Sanjabij Tari* (supra), and if compounding does not fructify, proceeding under Section 278 BNSS, 2023 read with the Probation of Offenders Act, 1958 without imposing any monetary precondition;

D. Stay the operation of the Impugned Order and all consequential proceedings, including the hearing on merits fixed before the Ld. ASJ, during the pendency of this petition; **E.** Pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interests of justice.”

4. Learned Senior Counsel appearing on behalf of the appellant submits that he limits his grievance *qua* the directions passed by the learned Appellate Court on 30.05.2026 in CA No. 62/2025, whereby the appellant was directed to remain physically present before the learned Appellate Court at the time of hearing of the final arguments of the appeal, *i.e.*, on 04.06.2026.
5. Learned counsel for the respondent, on advance notice, submits that he has no objection if the said direction is set aside, subject to final arguments being advanced on behalf of the petitioner before the learned Appellate Court on 04.06.2026.
6. Learned Senior Counsel appearing on behalf of the appellant, on



instructions, submits that the final arguments shall be addressed before the learned Appellate Court on the date already fixed, *i.e.*, 04.06.2026.

7. In these circumstances, the present petition is disposed of, exempting the appellant to appear before the learned Appellate Court on the said date, *i.e.*, 04.06.2026, for arguments on the appeal.

8. Copy of the order be sent to concerned learned Trial Court/learned, Spl. Judge-NDPS/ASJ (South), South District, Saket, New Delhi for necessary information and compliance.

9. Pending application(s), if any, also stand disposed of.

10. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J
(VACATION JUDGE)

JUNE 3, 2026/kr/sg