



Anil Kumar Rana Vs. The Himachal Pradesh Horticulture

Cr. Revision No. 41 of 2023

16.01.2023

Present: Mr. Rakesh Manta, Advocate, for the petitioner.

Heard.

There are certain arguable points involved in the present Criminal Revision Petition, as such, the same is admitted for hearing.

Issue notice to the respondent returnable for **6th March, 2023.**

Cr.MP No. 277 of 2023

By virtue of the present application, the applicant Anil Kumar Rana, has sought the suspension of sentence, passed by the learned Additional Chief Judicial Magistrate, Court No.1, Rohru, District Shimla, H.P. (hereinafter referred to as the 'trial Court) in Case No. 874-3 of 2019, vide judgment and order dated 06.07.2022/07.07.2022 affirmed by the learned Sessions Judge (Forests), Shimla, Camp at Rohru, in Criminal Appeal No. 23-R/10 of 2022, vide order dated 14.11.2022.

3 By virtue of the said order, the learned trial Court has convicted and sentenced the applicant-Anil Kumar Rana to undergo simple imprisonment for six months and to pay compensation of Rs.1,50,000/-

to the complainant for the commission of offence, punishable under Section 138 of the Negotiable Instruments Act.

Since the revision against the said order has been admitted for hearing, which is likely to take some time for its disposal, as such, the application is considered and allowed. The order of sentence under challenge, in the revision is suspended during the pendency of the revision, subject to the following conditions:-

- a. *That the applicant shall furnish personal bond in the sum of Rs. 30,000/- alongwith one surety of the like amount, to the satisfaction of the learned trial Court, within a period of eight weeks from today, with an undertaking that in the event of dismissal of the revision, he will surrender before the learned trial Court to serve the remainder substantive sentence;*
- b. *That the applicant is further directed to deposit Rs.50,000/- with the learned Trial Court. This amount shall be in addition to any other amount, already deposited by him. The amount be deposited within a period of six weeks.*

The application is, thus, disposed of.

A copy of this order be sent to the learned trial Court, with the direction that the report of compliance of this order be submitted to this Court within a period of eight weeks.

January 16, 2023
(ravnder)

(Virender Singh)
Vacation Judge