

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. 830-837 OF 2020

(Arising out of Special Leave Petition (Crl.)Nos. 5605-5612/2020

SANJAY MANN

...Appellant(s)

VERSUS

KARAN LAKE TOURIST RESORT

...Respondent(s)

ORDER

Leave granted.

These appeals challenge the orders dated 22-09-2020 and 07-10-2020 in (i) CRM No. 1989/2020 in CRR No.169/2020; (ii) CRM No.2024/2020 in CRR No.174/2020; (iii) CRM No.2029/2020 in CRR No.175/2020 & (iv) CRM No. 2030/2020 in CRR No.176/2020 passed by the High Court of Punjab & Haryana at Chandigarh.

The appellant stands convicted under Section 138 of the Negotiable Instruments Act, 1881 in four cases and sentenced to suffer imprisonment for eight months with a further direction to pay to the respondent a sum of Rs.2,08,150/- in each of those four cases.

The appeals arising from these orders of conviction and sentence were dismissed by the Appellate Court against which Revisions have been preferred

in the High Court which are still pending consideration. During the pendency of the Revisions, relief in terms of Section 389 of the Code of Criminal Procedure (“the Code” for short) was sought for.

Initially interim relief was granted. However, that benefit having been withdrawn by the orders presently under challenge, the instant appeals are preferred by the appellant.

Since the Revisions are pending before the High Court, we need not go into the merits of the matter. We may however observe that if as against the aggregate amount of Rs.8,32,600/- involved in four matters, the appellant deposits Rs.4,00,000/- in the Registry of the High Court within four weeks from today, it would meet the ends of justice.

We therefore direct: -

- (a) Upon deposit of the aforesaid sum within the time stipulated, the appellant shall be entitled to the relief under Section 389 of the Code during the pendency of the aforesaid Revision Applications before the High Court.
- (b) The amount so deposited shall abide by such directions as the High Court may deem appropriate to pass.
- (c) In case the appellant does not deposit the money as aforesaid within the stipulated time, the protection granted under the earlier order dated 17.11.2020 passed by this Court shall stand withdrawn and the appellant

shall be taken into custody to undergo the sentence awarded to him.

A copy of this order shall be sent to the concerned Police Station and the Jurisdictional CJM for compliance.

Considering the fact that the respondent is a Public Sector Undertaking, we request the High Court to consider disposing of the pending Revision applications as early as possible and preferably within six months from the receipt of this order.

The appeals are disposed of accordingly.

.....J.
[Uday Umesh Lalit]

.....J.
[Vineet Saran]

.....J.
[S. Ravindra Bhat]

New Delhi;
December 8, 2020.

The appeals are disposed of in terms of the signed order.

Pending applications, if any, shall stand disposed of.

(INDU MARWAH)
COURT MASTER (SH)

(PRADEEP KUMAR)
BRANCH OFFICER

(SIGNED ORDER IS PLACED ON THE FILE)