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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 05th February, 2026

+ CRL.M.C. 585/2026 & CRL.M.A. 2328-2329/2026

SATINDER KAUR

.....Petitioner

Through:

Dr. Ajay Chaudhary with Mr. Bharat Chaudhary, Ms. Vinita, Ms. Monika, Mr. Parambir Singh and Ms. Nikita Chaudhary, Advocates.

versus

GIRISH CHANDER VERMA

.....Respondent

Through: Ms. Riya Goyal, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. Petitioner has been held guilty for committing offence under Section 138 of *Negotiable Instrument Act, 1881* and has been sentenced to undergo SI for one month and has been directed to pay a sum of Rs.14 lacs i.e. cheque amount in question along with simple interest @ 9% per annum, in default thereof, to undergo further SI for a period of four months.
2. Petitioner has already filed an appeal before the Court of Sessions which has been registered as Crl.A. No.123/2025 titled as *Satinder Kaur vs. Girish Chander Verma*.
3. During pendency of the aforesaid appeal, petitioner filed an application seeking suspension of the sentence. The sentence was directed to be stayed on her depositing 20% of the balance amount of compensation. Such order was passed on 04.06.2025.



4. The petitioner, for the reasons best known to her, never challenged the abovesaid order and it was only when she, eventually, could not deposit the aforesaid amount and when NBWs were issued against her, the abovesaid order dated 04.06.2025 as well as one subsequent order dated 28.10.2025, whereby stay of impugned sentence has been vacated, have been challenged.

5. It is submitted that applicant is, a lady, in her sixties and when the complaint in question was pending adjudication, admittedly, she had made payment of Rs.2,97,000/-, which was more than 20% of the cheque amount and, therefore, the Appellate Court should not have burdened her with any further deposit. It is contended that the statutory provision, as envisaged under Section 148 of Negotiable Instrument Act, 1881 is not rigid and mandatory in nature and in view of the peculiar facts of any given case, the abovesaid condition can be relaxed.

6. Learned counsel for the applicant submits that though the petitioner is suffering from various age-related ailments without prejudice to her rights and in order to demonstrate her *bona fide*, she is ready to deposit another sum of Rs.50,000/-.

7. Learned counsel for the respondent/complainant has joined the proceedings through *video-conferencing*.

8. Respondent has also joined the proceedings through *video-conferencing*.

9. Learned counsel for the respondent submits that the respondent/complainant has also filed a separate appeal, which has been registered as Crl.A. No.130/2025 where, complainant seeks enhancement in the sentence.

10. The appeal in question i.e. Crl.A.123/2025 filed by the convict is



pending adjudication before the Court of Sh. Anurag Thakur, learned ASJ, FTC, East, Karkardooma Courts whereas the appeal for enhancement in the sentence is pending before Sh. Ashish Rastogi, learned ASJ-05, KKD/East Delhi.

11. Since both the appeals emanate from the same order, these need to be considered by one and the same Court.

12. After hearing both the sides and with the consent of learned counsel for the parties, the present petition is disposed of with the following directions:-

(i) The applicant shall deposit a sum of Rs.50,000/- with the Appellate Court within ten days from today. On her such deposit, the sentence awarded to her would be assumed to be suspended.

(ii) In order to enable her to deposit the aforesaid amount, the NBWs, issued against her, stand recalled.

(iii) Learned Principal Judge, East, shall transfer Crl.A. No.130/2025 to the Court of Sh. Anurag Thakur, learned ASJ, FTC, East, Karkardooma Courts so that both the appeals are taken up together by the same Court.

(iv) Learned Appellate Court shall make best endeavour to dispose of both the appeals as expeditiously as possible and, preferably, within a period of three months from today.

13. Needless to say, both the sides shall render due assistance and cooperation to learned First Appellate Court to achieve the abovesaid disposal in a time-bound manner.

14. Copy of the order be given *dasti* under signatures of Court Master.

15. It is, however, clarified that this Court has not made any observation with respect to the merits of the appeals as such.



2026 : PHC : 1017



16. A copy of this Order be sent to learned Principal District and Sessions Judge, East and both the Appellate Courts concerned, for information.

**(MANOJ JAIN)
JUDGE**

FEBRUARY 05, 2026/st/js