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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 19th August, 2026

CNR No. DLHC010082212026

+ CRL.M.C. 1728/2026

CHANDER MOHAN

.....Petitioner

Through: Mr. Sunil Chaudhary, Advocate

versus

SANJEEV KUMAR TYAGI

.....Respondent

Through: Mr. Naresh Kumar Beniwal with
Mr. Nikhil Beniwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CRL.M.A. 25406/2026

1. The next date in the present petition is 03.11.2026 and the matter has been taken up today on the basis of the application moved by petitioner.
2. Learned counsel for respondent has joined the proceedings through *video-conferencing* and with the consent of both the sides, the main petition is taken up for arguments today itself.
3. The next date of 03.11.2026 is cancelled.
4. The application stands disposed of in aforesaid terms.

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5. The point raised in the present petition is a very short one.
6. Petitioner herein has been held guilty for commission of offence under Section 138 of *Negotiable Instruments Act, 1881* and has been sentenced to



simple imprisonment for a period of 16 months and a fine of Rs.70,50,000/- has also been imposed upon him. He challenged the abovesaid order by filing an appeal which was registered as CRL.A. 209/2025. During the pendency of the abovesaid appeal, an order, on the basis of the application filed under Section 148 of *Negotiable Instruments Act, 1881*, was passed directing him to deposit 20% of the compensation amount.

7. Such order was passed on 03.12.2025 and has yet not been complied with, which has resulted in issuance of non-bailable warrants against the petitioner/accused.

8. The present petition seeks setting aside of such order and seeks waiver of requirement of deposit of 25% of the compensation amount, primarily, for the reason that his financial condition is very poor.

9. It is submitted that petitioner was even sent to *civil imprisonment* in relation to one execution petition, which itself indicates his present financial condition.

10. The next date in the abovesaid appeal is stated to be of tomorrow i.e. 20.08.2026.

11. Learned counsel for the petitioner relies upon the observations given by Hon'ble Supreme Court in *Jamboo Bhandari v. M.P. State Industrial Development Corporation Ltd. & Ors.*: (2023) 10 SCC 446 and *Muskan Enterprises & Anr. v. State of Punjab & Anr.*: 2024 SCC OnLine SC 4107

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

13. During course of the arguments today, it was asked from learned counsel for respondent that, without prejudice to his rights and contentions, can a direction be given to learned First Appellate Court to decide the



abovesaid appeal in a time-bound manner, without insisting for any deposit. His answer is in affirmative. He submits that if there is a direction in this regard, he would not insist for deposit of the abovesaid amount i.e. 20% of the compensation amount.

14. Learned counsel for the petitioner, on instructions, submits that the petitioner would address arguments tomorrow itself and would not seek any adjournment from the learned First Appellate Court on any ground whatsoever. He submits that as and when so directed, the appellant would appear before the learned First Appellate Court, unless he is exempted from personal appearance by the learned Appellate Court itself.

15. The petition is, accordingly, disposed of in aforesaid terms and as a necessary corollary, the abovesaid direction regarding deposit of 20% of the amount is waived and coercive process is recalled. Learned Appellate Court is requested to dispose of the appeal as expeditiously as possible and preferably within a period of six weeks. Both the sides would render due assistance and cooperation to the learned First Appellate Court so that it is in a position to dispose of the abovesaid appeal within the above time frame.

16. A copy of this order be sent to learned First Appellate Court for information.

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

(MANOJ JAIN)
JUDGE

AUGUST 19, 2026/st/sk