

(2019) 02 CHH CK 0501

Chhattisgarh High Court

Case No: Criminal Revision No. 292 Of 2019

Anita Singh

APPELLANT

Vs

Rishipal Agrawal

RESPONDENT

Date of Decision: Feb. 27, 2019

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 357(4)

Hon'ble Judges: Arvind Singh Chandel, J

Bench: Single Bench

Advocate: Siddharth Pandey, Rakesh Pandey

Final Decision: Allowed

Judgement

Heard on admission.

Issue notice to Respondent on admission. PF within 7 days.

Call for the record of the Court below. Also heard on I.A. No. 01/2019, an application for grant of stay.

By the impugned judgment dated 30/01/2019 passed in Criminal Appeal No. 105/2018 by the learned Additional Sessions Judge, Ambikapur (Surguja)

(C.G.), arising out of judgment of conviction and sentence dated 04/09/2018 passed in Complaint Case No. 194/2012 by the learned Judicial

Magistrate First Class, Ambikapur (Surguja) (C.G.), the applicant has been convicted under Section 357 (4) of the Cr.P.C. and to pay fine of Rs.

1,50,000/-, with default stipulation.

Learned counsel for the applicant submits that the applicant has a good case and he hopes to succeed in it. He further submits that some amount has

already been deposited by the applicant.

Considering the facts and circumstances of the case, particularly considering that disposal of the instant revision is likely to take time. It is directed that

on deposit of 30% of the fine amount of Rs. 1,50,000/- before the trial Court within a period of 7 days from the date of receipt of this order and the

sentence of deposit of the remaining 70% of the compensation amount shall remain suspended. If any amount has already been deposited by the

Applicant towards the compensation, the same shall be adjusted in the aforesaid 30% of the amount of compensation.

Accordingly, I.A. No. 01/2019 is allowed. List this case after service of notice.