

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35506-2016 (O&M)

Date of decision: August 11, 2017.

Banti Rani

... **Petitioner**

v.

Davinder Singh and another

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: None for the petitioner(s).
Shri Ramandeep Singh Sandhu, Sr. Dy. AG, Punjab.
Shri HPS Ghumman, Advocate for respondent No.1.

A.B. Chaudhari, J. (Oral):

Shri HPS Ghumman, learned counsel for respondent No.1 submits that the cheque amount itself is of Rs.45,000/-. A compromise was arrived at and the petitioner had agreed to pay that amount. Not only that, order dated 5.5.2017 shows that instructions were to be obtained by Learned Counsel for the petitioner to make payment of Rs.45,000/- in easy installments. Counsel for the complainant therefore submits that equally his client is poor and in the name of liberty of the petitioner, he should not be put to unnecessary harassment. In my opinion, the balance will have to be struck down.

In that view of the matter, I make the following order:-

ORDER

- (i) The order dated 1.12.2014 declaring the petitioner PO is put in abeyance till the petitioner by way of easy installments makes the payment before the trial court of Rs.45,000/-. In

that view of the matter, this Court makes installments each of Rs.5,000/- which shall be deposited before the trial court by the petitioner and at any rate, all nine installments shall be deposited before the trial court before culmination of the trial.

(ii) In case of failure on the part of the petitioner to deposit the amount as above, order dated 1.12.2014 which has been put in abeyance by this order, shall automatically revive and the petitioner shall be liable to face the consequences.

Petition stands disposed of.

August 11, 2017.
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[**A.B. Chaudhari**]
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No