

CRM-M-4658 of 2019

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-4658 of 2019
Date of Decision: 31.01.2019

Manish Goyal

...Petitioner

Versus

Neelam Chawla

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. J.S. Rozera, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing impugned order dated 21.12.2018 (Annexure P-1) of the Appellate Court, directing the petitioner to deposit ₹7,50,000/- i.e. 25% of the compensation amount in the form of bank draft in favour of respondent-plaintiff within 30 days from the date of order.

Learned counsel for the petitioner, placing reliance on judgment of this Court dated 13.11.2017 rendered in *M/s Shree Conveyor System Pvt. Ltd. and another v. M/s Shiv Shakti Steel*, CRM-M-40279 of 2017, order dated 07.12.2018 passed in CRM-43137 of 2018 in CRM-M-52897 of 2018 (Samant Adlakha and another v. Rakesh Sehgal) and order dated 21.01.2019 passed in CRM-M-269 of 2019 (Rajesh Kumar v. M/s Kamlesh Agro Tech), *inter alia* contends that impugned order of the Appellate Court is illegal in view of the fact that Section 148 of the Negotiable Instruments Act (for short the 'Act') was introduced on

CRM-M-4658 of 2019

the appeal filed by the petitioner against judgment dated 27.11.2018 in a complaint filed way back in the year 2016.

Having given thoughtful consideration to the above submissions, this Court finds the instant petition completely devoid of any merit for the reasons to follow.

Admittedly, the appeal was filed on 21.12.2018, much after the introduction of Section 148 of the Act on 02.08.2018. Therefore, even if the said provision has prospective application, it does cover the appeal of the petitioner.

Consequently, finding no illegality in the impugned order, petition is dismissed.

January 31, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No