

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

CRR No. 796 of 2019

Date of decision: 02.04.2019.

Kanta Devi

..... Petitioner.

Versus

State of Punjab and another

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Rajesh Bhatheja, Advocate, for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has impugned the order passed by the Appellate Court on 27.02.2019 whereby while admitting the appeal of the petitioner, who has been convicted under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo rigorous imprisonment for a period of one year, she has been directed to deposit 20% of the compensation amount within a period of 60 days. The compensation which has been awarded by the trial Court is to the tune of Rs.30,00,000/-.

Learned counsel for the petitioner contends that the petitioner is a lady of 75 years of age; she was running a proprietorship firm after the demise of her husband and as she did not have any business acumen she suffered huge loss in the business which has been shut down. She has no other source of income and is now residing with her daughter and son-in-law. Therefore, it is difficult for her to pay 20% of the amount of compensation.

The impugned order directing the petitioner to pay 20% of the compensation amount of Rs.30,00,000/- appears to be just and reasonable

and would not recall for any interference while exercising revisional jurisdiction. However, at this juncture, learned counsel for the petitioner contends that the petitioner may be granted some more time to enable her to arrange 20% of the compensation amount which was to be deposited by her by 26.04.2019.

In view of the limited nature of the prayer of the petitioner, I do not deem it appropriate to issue notice to the opposite party and the matter can be disposed of at this stage itself. Moreover, the request of the petitioner appears to be just and reasonable and it would be in the interest of justice in case the time for depositing 20% of the compensation amount is extended by a period 60 days. Accordingly, the petitioner is directed to deposit 20% of the compensation amount, as directed by the Appellate Court, by 26.06.2019 as she is an elderly lady with insufficient means.

The petition stands disposed of in the aforementioned terms.

(ANUPINDER SINGH GREWAL)
JUDGE

02.04.2019
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No