

CRR No. 1081 of 2019 (O&M)

Date of decision: 14.05.2019

SWARAN SINGH

...PETITIONER

VERSUS

MAJHA TYRES HOUSE

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWALPresent: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the impugned order dated 26.03.2019 passed by the Appellate Court whereby the petitioner (accused) was directed to deposit 20% of the compensation amount awarded by the trial court on or before 30.04.2019 in terms of Section 148 of the Negotiable Instruments Act, 1881 (NI 'Act' -for short).

Learned counsel for the petitioner contends that deposit of 20% of the compensation, which has been introduced through Section 148 of the NI Act, could not have retrospective operation, as it was brought in force on 04.08.2018, while the complaint in the instant case has been filed on 12.07.2011.

The question with regard to the prospective operation of the amendment has been elaborately dealt by Coordinate Bench of this Court in CRM-M No. 16741 of 2019, decided on 22.04.2019, wherein has been held that Section 148 of the NI Act shall be applicable to the appeals as the procedure for recovery of fine or compensation from appellant in pending

appeal already existed in Cr.P.C. even before the amendment.

Consequently, I do not find any illegality in the impugned order. The petition stands dismissed.

14.05.2019
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No