

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

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Criminal Revision No.1780 of 2019

Date of decision : 29.07.2019

M/s Vie Technology Pvt. Ltd. and another

... Petitioners

Versus

M/s Milagrow Business & Knowledge Solution (P) Ltd.

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vikas Sharma, Petitioner No.2 in person.
(Director of Petitioner No.1-Firm).

Anupinder Singh Grewal, J. (Oral)

The challenge in this revision petition is to the impugned order dated 24.05.2019 passed by the Appellate Court whereby the petitioner (accused) was directed to deposit 20% of the compensation amount awarded by the trial court within a period of 60 days in terms of Section 148 of the Negotiable Instruments Act, 1881 ('NI Act' -for short).

Petitioner No.2, who is present in-person, 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 06.11.2015.

The question with regard to the prospective operation of the amendment has been elaborately dealt by the Coordinate Bench of this Court in CRM-M No.16741 of 2019, decided on 22.04.2019, wherein it 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 which has been upheld by Supreme Court in the case of **Surinder Singh Deswal @ Col. S.S. Deswal and others vs. Virender Gandhi**, in **Criminal Appeal Nos.917-944 of 2019 (arising out of SLP (Criminal) Nos.4948-4975/2019**, dated 29.05.2019.

At this juncture, petitioner No.2 submits that the company has been shut down for over eight months, he is in financial difficulty and therefore, he may be granted further time to deposit 20% of the compensation amount.

It appears that the prayer of the petitioners appears to be reasonable and it would be in the interest of justice, if the period of sixty days for depositing 20% of the compensation amount is extended by another thirty days.

Consequently, while I do not find any infirmity in the impugned order, the period for deposit of 20% of compensation is extended by 30 days.

(ANUPINDER SINGH GREWAL)
JUDGE

July 29, 2019
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Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No