

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

CRM-M-36740-2019 (O&M)
Date of decision : 02.09.2019

Bhagwan Dass Goyal ...Petitioner

Versus

Cholamandalam DBS Fin. Ltd. ...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Dhruv Sihag, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Through the present petition, order passed by the learned Additional Sessions Judge, Bathinda directing the petitioner to deposit 20% of the compensation amount as interim compensation as per the amendment in Section 148 of the Negotiable Instruments Act, has been challenged.

On careful reading of the order, it is apparent that order directing deposit of 20% of the amount of compensation is not a condition precedent for continuation of suspension of sentence. Even otherwise, this Court has already held that orders suspending sentence cannot be subject to the deposit of interim compensation as provided under Section 148 of the Negotiable Instruments Act. Reference in this regard can be made to **CRM-M-29187-2019 titled as Vivek Sahni and another Vs. Kotak Mahindra Bank Ltd., decided on 18.07.2019.**

Hence, the present petition is disposed of.

02.09.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

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