

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

**Criminal Misc. No.M-43421 of 2019 (O&M)
Date of Decision: October 14, 2019**

Subhash Chand

.....PETITIONER(s).

VERSUS

State of Haryana and another

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Namit Khurana, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

This is petition under Section 482 Code of Criminal Procedure seeking quashing of impugned order dated 18.09.2019 (Annexure P-5) passed by learned Addl. Sessions Judge, Yamuna Nagar at Jagadhari in Criminal Appeal No.421/2018 arising from Criminal Complaint No.1247 of 2016 dated 26.07.2016 filed by respondent No.2 against the petitioner for the offence punishable under Section 138 of Negotiable Instruments Act (for short-N.I. Act).

Learned counsel for the petitioner submits that as per provisions of Section 148 (2) of N.I. Act, “20% of compensation amount as per order of the Appellate Court, can be deposited within a period of sixty days from the date of order or within such further period not exceeding thirty days as may be directed by the Court”. However, while passing order

Jagadhari directed the petitioner to deposit 20% of the compensation amount within 20 days.

I find merit in the submission of learned counsel for the petitioner. This petition is disposed of with liberty to the petitioner to deposit 20% of the compensation amount as per order dated 18.09.2019, within a period of sixty days with liberty to seek further extension from the Court concerned as per provisions of Section 148(2) N.I. Act, if so required.

As the only legal question was involved, this petition is disposed of without notice to the respondents. Copy of this ordered be conveyed to respondent No.2. In the event of respondent No.2 having any objection, it may file application to that effect, which on filing be listed for hearing.

October 14, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***