

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

Sr. No.117

**CRM-M-62297-2018
Date of decision : 7.1.2019**

Praveen Malhotra

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Rajesh Lamba, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner has been convicted under Section 138 of the Negotiable Instruments Act, 1881 (for short 'the Act') and has been sentenced to undergo simple imprisonment for a period of 9 months and to pay compensation of Rs.30,90,000/-. While admitting his appeal, the learned appellate Court has imposed a condition of deposit of Rs.7,72,500/- (25% of the compensation amount) within 30 days from the date of the order, subject to which bail has been granted.

Learned counsel for the petitioner places reliance upon Section 148(2) of the Act to submit that the petitioner was entitled to grant of 60 days' time for deposit of the amount of compensation extendable by 30 days on sufficient cause being shown. Thus, the learned appellate Court was not justified in reducing the period for deposit of compensation, to 30 days.

The petition is accordingly disposed of with modification of the impugned order dated 26.11.2018 (Annexure P3) to the extent that 25% of compensation amount shall be deposited within 60 days from the

date of the said order. In case the petitioner needs more time, he shall be at liberty to file an application before the appellate Court, which shall decide the same, in accordance with law.

(SUDHIR MITTAL)
JUDGE

7.1.2019
Ramandeep Singh
Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No