

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

**CRM-M No. 11047 of 2020
Date of Decision:21.05.2020**

RAJBIR SAINI

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

On 26.04.2019 the Judicial Magistrate 1st Class, Karnal, after after convicting the petitioner under Sections 138 and 142 of the Negotiable Instrument Act, 1882, sentenced him to undergo simple imprisonment for a period of 8 months. The petitioner was further directed to pay to the complainant an amount of ₹15 lakhs as compensation.

Against his conviction the petitioner filed an appeal which was admitted and in the meanwhile subject to the petitioner depositing 20% of the awarded compensation the Appellate Court suspended the petitioner's sentence. However, the petitioner did not deposit 20% of the awarded compensation. Resultantly, the Appellate Court vacated the order through which the petitioner's sentence had been suspended. It is in these

circumstances that the present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail.

On 17.03.2020, this Court had directed the petitioner to deposit 20% of the compensation awarded by the Trial Court which has admittedly been deposited.

That being so, the present petition is disposed of with a direction to the Appellate Court to take up final decision on the petitioner's appeal within two months from the date of receipt of a copy of this order.

In the meanwhile, the sentence of the petitioner, as awarded to him through the order of the Trial Court dated 26.04.2019, to the satisfaction of the Appellate Court, shall remain suspended.

(DEEPAK SIBAL)
JUDGE

May 21, 2020

Jyoti-I Whether speaking/reasoned Yes/No Whether Reportable Yes/No