

CRM-M-54105-2019

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

CRM-M-54105-2019

Date of Decision: 10.01.2020

Baljinder Singh

... Petitioner

Versus

Harpinder Kaur

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Nakul Sharma, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of the order dated 01.11.2019 passed by the learned Additional Sessions Judge, Ludhiana, only to the extent whereby the petitioner has been directed to pay 20% of the compensation amount, as assessed by the learned trial Court to the complainant, in complaint No.415 dated 22.12.2015, within 60 days as per the amended provision of Section 148 of the Negotiable Instruments Act, 1881 (for brevity, 'N.I.Act'), subject to the fate of appeal.

Vide judgment and order of sentence dated 11.10.2019, the petitioner has been convicted under Section 138 N.I.Act and sentenced to undergo rigorous imprisonment for a period of one year and an amount of Rs.3,10,000/- as compensation and in default thereof, to undergo rigorous imprisonment for a period of two months, subject to the finality of the judgment. Being dissatisfied, the petitioner preferred an appeal. During the pendency of the appeal, the petitioner has been released on bail, vide order

CRM-M-54105-2019

dated 01.11.2019 passed by the learned Additional Sessions Judge, Ludhiana, on furnishing bail bonds in the sum of Rs.50,000/- with one surety of the like amount before the learned trial Court/Illaqa Magistrate, subject to its satisfaction within 15 days from today. The learned Additional Sessions Judge, Ludhiana, has also directed the petitioner to pay 20% of the compensation amount as assessed by the learned lower Court to the complainant within 60 days from today, as per the amended provision of Section 148 NI Act, subject to the fate of appeal, failing which the bail order shall be treated as cancelled automatically.

At the very outset, learned counsel for the petitioner states that he would feel contented if the time granted by the learned Appellate Court to deposit the amount, is extended by another 60 days, enabling the petitioner to deposit the requisite compensation amount.

I have heard learned counsel for the petitioner.

At this stage, notice of the petition is not being issued to the respondent as this would further delay the disposal of appeal.

In view of the above, the petitioner is granted 60 days' more time from today, enabling him to pay 20% of the compensation amount as assessed by the trial Court to the complainant, in addition to the time already granted by the learned Additional Sessions Judge, Ludhiana.

Disposed of.

10.01.2020
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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