

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

108

CRR No.3487 of 2019 (O&M)
Date of decision : 06.01.2020

Daljit Singh

... Petitioner

Versus

Gurinder Bir Singh

.. Respondent

CORAM : HON'BLE MR.JUSTICE VIVEK PURI

Present : Mr.Gaurav Gupta, Advocate
for the petitioner.

Vivek Puri, J. (Oral)

The petitioner has been convicted and sentenced by the learned Judicial Magistrate 1st Class, Patiala vide judgment dated 14.10.2019 for having committed offence under Section 138 of the Negotiable Instrument Act. He has preferred an appeal before the Additional Session Judge, Patiala and vide judgment dated 14.11.2019, it has been directed that the recovery of compensation shall remain stayed subject to deposit of 1/3rd of the compensation amount within a period of one month as per the provisions of Section 148 of the Negotiable Instrument Act. Aggrieved by the said order, the present criminal revision has been preferred.

It has been stated by learned counsel for the petitioner that the amount so directed to be deposited is on the higher side and sufficient time has not been granted to deposit the amount. As per Section 148(1), minimum of 20% of the compensation has to be deposited by the appellant at the time of preferring the appeal. As such, the amount of compensation directed to be deposited cannot be termed to be exorbitant

on higher side. However, the time period for depositing the amount has to

be as per Section 148(2) of the Negotiable Instrument Act.

Consequently, it is directed that time period for depositing the compensation amount shall be governed by the provisions of Section 148(2) of the Negotiable Instrument Act.

With the said partial modification in the order dated 14.11.2019, this petition is dismissed.

[VIVEK PURI]
JUDGE

06.01.2020
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No