

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

CRM-M-33147-2021.
Date of Decision:-17.08.2021.

Parvinder Singh

.....Petitioner

Versus

Ashish Singh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Kawalpreet Singh Virk, Advocate for the petitioner.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a petition under Section 482 Cr.P.C. for seeking direction to the learned Additional Sessions Judge, Jind, to decide the application dated 06.03.2020 (Annexure P-6) as well as Appeal No. CRA/27/2017 dated 13.10.2017 titled as Ashish Singh Vs. Parvinder Singh, in a time bound manner.

Learned counsel for the petitioner has submitted that *vide* judgment dated 18.01.2017, respondent No.1, on the complaint filed by the petitioner under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter, referred to as 'the Act of 1881'), was convicted and was sentenced to undergo imprisonment for a period of 01 year and was further directed to pay a sum of Rs.25,00,000/- as compensation. Against the said

order, the above said appeal was filed in which on 13.02.2017, in which interim order was passed in favour of respondent No.1. Reference has been made by learned counsel for the petitioner to the status report (Annexure P-5) which has been taken out from the web-site to contend that the case has been listed for arguments on several dates. It is further stated that the petitioner has also filed an application under Section 148 of the Act of 1881 for directing respondent No.1 to pay interim compensation to respondent-complainant. It has been stated that the said application has also been listed on several dates but reply has not been filed to the same. The case is now stated to be listed on 22.10.2021 for reply and arguments. Learned counsel for the petitioner has further argued that in matters of Section 138 of the Act of 1881, it has been repeatedly been observed by various Courts that the same should be disposed of expeditiously.

This Court has heard learned counsel for the petitioner.

In view of the order this Court proposes to pass, this Court feels there is no need to issue notice of motion as no prejudice is going to be caused to the respondents.

After considering the facts and circumstances, the learned Additional Sessions Judge, Jind, is directed to decide the application dated 16.03.2020 (Annexure P-6) as expeditiously as possible, preferably on or before 30.10.2021, after giving one more opportunity to respondent No.1 to file a reply to the same. Learned Additional Sessions Judge, Jind, is further requested to decide the main appeal i.e., CRA/127/2017 dated 13.02.2017 titled as Ashish Singh Vs. Parvinder Singh, as expeditiously as possible.

Accordingly, the petition stands disposed of in the above terms.

It is, however, made clear that nothing stated above shall be considered as an expression of opinion on the merits of the case.

(VIKAS BAHL)
JUDGE

August 17, 2021.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.