

120.

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

**CRM-M-52680-2021**

Date of Decision: 16.12.2021

UMESH KUMAR

.... Petitioner

Versus

P.D. SHARMA AND ANR.

.... Respondents

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Naveen Bawa, Advocate,  
for the petitioner.

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**JAISHREE THAKUR.J (Oral)**

The petitioner has filed the instant petition seeking extension of time to make deposit of 15% of the cheque amount in terms of the provisions of Section 143-A of the Negotiable Instruments Act.

Notice of motion.

At this stage, appearance has been caused by Mr. Sunil Tiwari, Advocate, on behalf of respondent No.1-complainant who is none else but the father of the petitioner. Counsel would point out that in terms of the order dated 10.11.2021, the petitioner had been allowed a period of two months to make good the interim compensation and that period would expire on 09.01.2022. He would argue that this petition itself is premature.

I have heard learned counsel for the parties and have also perused the order dated 10.11.2021.

A perusal of the order would reflect that the Judicial Magistrate Ist Class, Ludhiana has ordered interim compensation to be paid to the complainant which is assessed to be 15% of the cheque amount. As per the order, the petitioner-accused was directed to pay the same to the complainant within a period of 60 days from the date of the order i.e. 10.11.2021. However, the JMIC, Ludhiana has further directed the matter to come up on 16.12.2021 which is today for payment of interim compensation as well as for serving notice of accusation upon accused No.1, which order is in conflict with the time frame already allowed to the petitioner to pay the compensation.

At this stage, counsel appearing on behalf of the complainant submits at the bar that he would not press for the interim compensation to be paid today.

Consequently having heard both the parties, this Court deems it appropriate to dispose of the instant petition as premature considering the fact that the petitioner still has time to make payment and the said period would expire on 09.01.2022. The order dated 10.11.2021 stands modified to that extent.

Disposed of.

**(JAISHREE THAKUR)**  
**JUDGE**

**16.12.2021**  
sanjeev

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |