

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

SR. No.128

CRM-M-14148-2022

Date of Decision:14.07.2022

Kuldip Singh Walia

...Petitioner

Versus

Madan Lal

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr.Sunny K. Singla, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 482 of the Code of Criminal Procedure for quashing the order dated 01.02.2022 (Annexure P-2) passed by the learned Additional Sessions Judge, Sangrur, by which the petitioner has been directed to deposit 20% of the total amount of compensation awarded by the learned trial Court in the proceedings under Section 138 of the Negotiable Instruments Act, 1881 (for short 'the NI Act).

Learned counsel for the petitioner has submitted that the above-said condition is not in accordance with law since complaint was filed prior to amendment in the year 2018.

I have heard the learned counsel for the petitioner and perused the record.

The law with regard to deposit of 20% of amount under Section 148 of the NI Act at appellate stage for complaints filed before amendment of 2018 has since been settled by Hon'ble the Supreme Court in **Surender**

Singh Deswal @ Col S.S. Deswal and others Vs. Virender Gandhi,

2019 (3) RCR (Criminal) 186. It was held that in case appeal is filed after the amendment, then the same will be maintainable even if complaint was filed prior to amendment of 2018.

Learned counsel for the petitioner has not been able to make out any ground on the basis of which the impugned order can be said to be perverse or illegal.

Therefore, finding no merit in the instant case, the same is hereby dismissed.

(JASGURPREET SINGH PURI)
JUDGE

14.07.2022
mks

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO