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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.19154 of 2022 (O&M)

Date of decision: 06.05.2022

Sadhu Singh

....Petitioner

Versus

Harinderjit Kaur

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. H.P.S. Sidhu, Advocate for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for quashing of the order dated 09.12.2021 passed in complaint No.NACT/527/2020 dated 16.10.2020 passed by the trial Court vide which the petitioner was convicted under Section 138 of the Negotiable Instruments Act, for a period of 06 months and to pay a fine of Rs.50,000/- along with interest @ 9% per annum from the date of issuance of the cheque, in question.

Counsel for the petitioner has argued that the petitioner has already moved an application before the Lower Appellate Court where the appeal challenging the judgment of conviction and order of sentence dated 09.12.2021 is pending with a prayer that the petitioner is ready to pay the cheque amount along with the amount of compensation, however, the said application is not decided so far.

In view of the above, the present petition is disposed of with a direction to the Lower Appellate Court to dispose of the said application separately, before deciding the appeal finally, within a period of 02 months in the light of the judgment of the Hon'ble Supreme Court, from the date of receipt of certified copy of this order.

(ARVIND SINGH SANGWAN)
JUDGE

06.05.2022

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No