

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

CRM-M-41119-2022

Date of Decision: 08.09.2022

Gurdeep Singh

.....Petitioner

Vs.

The Fazilka Central Cooperative Bank Ltd.and another

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Karanjeet Singh Brar, Advocate,
for the petitioner.

VIKAS BAHL, J. (Oral)

This is a petition under Section 482 of the Cr.P.C. for quashing of the impugned order dated 25.08.2022 (Annexure P-2), passed by the learned Sessions Judge, Fazilka, in **Criminal Appeal No. 189 of 2022**, titled as “**Gurdeep Singh vs. F.C.C.B**” in complaint case No. NACT 888/2018, dated 28.08.2022, titled as the “**Fazilka Central Cooperative Bank Ltd. vs. Gurdeep Singh**”, whereby the petitioner has been ordered to deposit 20% of the cheque amount within a period of 15 days from the passing of the impugned order.

Learned counsel for the petitioner has submitted that in accordance with Section 148 (2) of the Negotiable Instruments Act, 1881, 20% of the cheque amount is to be deposited within a period of 60 days and thus next date before the lower appellate Court 07.10.2022, he has submitted that the petitioner would deposit 20% of the cheque amount as ordered dated 25.08.2022 passed by the learned Sessions Judge on or before 07.10.2022.

In view of the statement made by learned counsel for the petitioner, the present petition is disposed of with a direction that the petitioner would deposit 20% of the cheque amount and also comply with the other conditions mentioned in the order dated 25.08.2022, i.e. furnishing bail bonds in the sum of Rs. 50,000/-, with one surety in the like amount up-till 07.10.2022.

Notice is not being issued to respondent no. 1 as counsel for the petitioner has submitted that he would comply with the order and has also sought time up-till 07.10.2022 which is within the time as prescribed in Section 148 (2) the Act of 1881.

Issuance of notice would only delay the matter and would further entail expenses for respondent no. 2 in engaging a counsel before this court.

It is made clear that if the petitioner does not deposit the said amount up-till 07.10.2022, then the lower appellate court will be at liberty to proceed in accordance with law.

September 08, 2022
nitin

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No