

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

116

CRM-M-58317-2022

Date of Decision: 14.12.2022

Satinder Pal Singh

...Petitioner

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Dr. Sumati Jund, Advocate,
for the petitioner

Mr.Amish Sharma, AAG, Punjab

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition under Section 482 Cr.P.C is seeking quashing of order dated 14.10.2022 (Annexure P-2) whereby JMIC, S.A.S. Nagar, in Complaint No.NACT-934-2019 registered under Section 138 of the Negotiable Instruments Act, 1881 has allowed the application of respondent No.2 filed under Section 143-A of Negotiable Instruments Act.

Learned counsel for the petitioner submits that trial court has passed impugned order in a mechanical manner and it is not a reasoned/speaking order. The petitioner is not in a position to deposit 10% of cheque amount which comes to Rs.5 Lacs. The mandate of Section 143-A of Negotiable Instruments Act, 1881 is directory in nature. Sub-Section (2) of Section 143-A prescribes maximum amount i.e. 20%, however, there is no lower limit.

I have perused the impugned order as well heard the arguments of the learned counsel for the petitioner.

The present petition is bereft of merit and deserves to be dismissed.

Learned trial court has passed a well-reasoned and speaking order. Learned trial court has considered judgment passed by this Court, intent and purport of Section 143-A of Negotiable Instruments Act and thereafter directed the petitioner to deposit 10% of cheque amount. The trial court is competent to order to deposit upto 20% of cheque amount whereas trial court has directed to deposit 10% which in no way can be called as unreasonable or onerous amount.

Faced with this situation, learned counsel for the petitioner seeks two months time to comply with impugned order dated 14.10.2022 passed by trial court.

The petitioner is permitted to comply with impugned order dated 14.10.2022 by 31.01.2023.

Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

14.12.2022
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No