

CRM-M-3721 of 2023

Date of Decision: January 23, 2023

Sanjeev Kumar
Versus

...Petitioner

Sumer Chand and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Inderjit Singh, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner was convicted under Section 138 of Negotiable Instruments Act on 19.11.2019 in a Criminal Complaint No.2254 of 2018 by learned Judicial Magistrate Ist Class, Karnal. Vide order dated 21.11.2019, he was sentenced to undergo simple imprisonment for a period of one year and to pay an amount of ₹7 lacs as compensation to the complainant.

Against this judgment of conviction and order of sentence, he filed appeal. Learned Additional Sessions Judge, Karnal, while admitting the appeal and granting bail to the petitioner, directed him to deposit 20% of the cheque amount in the trial Court within a period of two months vide order dated 20.12.2019. Petitioner deposited only an amount of ₹60,000/- out of 20% of the cheque amount as per order dated 29.02.2020 and sought time to deposit the remaining amount. He failed to do so and rather absented himself from proceedings on 05.03.2020 due to which his bail was cancelled and bonds were forfeited to the State. He applied for bail which was rejected on 17.11.2022.

By way of this petition filed under Section 482 Cr.P.C., petitioner prays to quash order dated 05.03.2020 cancelling his bail and

order dated 17.11.2022 rejecting the bail petition.

It is conceded by learned counsel for the petitioner that 20% of the cheque amount has not been deposited by the petitioner till date. Not only the fact that petitioner failed to make compliance of the order whereby his bail was admitted by the First Appellate Court, he even absented himself from the proceedings.

In these circumstances, there is no reason to quash any of the impugned orders.

Dismissed.

January 23, 2023

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**(DEEPAK GUPTA)
JUDGE**

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