

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4336 -2023

Date of Decision: January 30, 2023

Manjit Singh

.....Petitioner

Vs.

Kirpal Singh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

-.-

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

-.-

HARKESH MANUJA (ORAL)

Petitioner has approached this Court impugning the order dated 22.11.2022 passed by learned Additional Sessions Judge, Ludhiana in Criminal Appeal No.CRA-9817 of 2022 titled as Manjit Singh Vs. Kirpal Singh, arising out of Complaint No. COMA/519/2017; whereby learned Additional Sessions Judge, Ludhiana directed the petitioner to deposit 10% of fine/compensation amount as awarded by learned trial Court within 60 days from passing of order dated 22.11.2022.

Learned counsel for the petitioner fairly submits that as per the law laid down by Hon'ble Supreme Court in ***Surinder Singh Deswal @ Col. S.S. Deswal and others Vs. Virender Gandhi and another***, 2020 (1) RCR (Criminal) 604, there is no dispute regarding the applicability of Section 148 of Negotiable Instruments Act to the petitioner. He further submits that the petitioner is ready to comply with the order passed by learned Appellate Court to deposit 10% fine/compensation as directed. He also submits that as the period for depositing the same has already expired

on 21.01.2023, he may be granted further time to deposit the same and to comply with the order. He prays for withdrawal of the main case.

After hearing counsel for the petitioner, this Court do not find it necessary at this stage to issue notice in this case to the respondent as the petitioner has fairly accepted that he is ready to deposit 10% fine/compensation as directed by the Court below and he prays for some more time in the interest of justice. Resultantly, the petitioner is allowed to withdraw the present petition at this stage to pursue his remedies before the learned Appellate Court. In the interest of justice, petitioner is granted further period of one month to deposit the amount of 10% as directed upto 20th February, 2023. Needless to say if the petitioner fails to deposit the fine/compensation by 20th February, 2023 as undertaken, the Court below will be at liberty to proceed further as per law.

Petition is disposed of in the above-mentioned terms.

January 30, 2023
sanjay

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No