

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9067 of 2023

Date of Decision: March 09, 2023

Sunil Kumar

...Petitioner

Versus

Vikas Sihag and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rohit Sharma, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Challenge in this petition is to order dated 21.12.2022 (Annexure P.5) whereby learned Sessions Judge, Fazilka has directed the petitioner to deposit 20% of the compensation amount within a period of two months. Appeal against the conviction under Section 138 of the Negotiable Instruments Act was admitted subject to the said deposit. Learned counsel for the petitioner has relied upon Mr. Ashwin Ashokrao Karokar Vs. Mr. Laxmikant Govind Joshi, - CrI. Writ Petition No.48 of 2022, in order to contend that provisions under Section 143A of the Negotiable Instruments Act are mandatory.

I am afraid that impugned order has been passed under Section 148 of the NI Act by learned Sessions Judge and not under Section 143A of the NI Act. The order is perfectly legal within the scope of Section 148 of the NI Act. No interference is called for.

Dismissed.

March 09, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable:	Yes/No
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