

CRM-M-24688-2022 (O&M), CRM-M-24823-2022 (O&M) AND
CRM-M-24676-2022 (O&M)

202 (3 cases)
IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Date of decision: September 15, 2023

1. CRM-M-24688-2022 (O&M)

Sanjay Wahi

....Petitioner

versus

State of Haryana and another

....Respondent

2. CRM-M-24823-2022 (O&M)

Upma Wahi

....Petitioner

versus

State of Haryana and another

....Respondent

3. CRM-M-24676-2022 (O&M)

Upma Wahi

....Petitioner

versus

State of Haryana and another

....Respondent

CORAM: HON’BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Vivek Singla, Advocate for petitioner(s).

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Amandeep, Advocate for
Mr. Neeraj Sheoran, Advocate for respondent No.2.

ARUN MONGA, J. (ORAL)

Vide this common order, above-mentioned three petitions, arising out of the analogous facts, are being disposed of. For brevity, recitals/facts are from CRM-M-24688-2022.

2. Petitions herein are for setting aside impugned order dated 11.03.2022 (Annexure P-6) passed by learned Judicial Magistrate 1st Class (Exclusive Court under N.I. Act) Bahadurgarh – Jhajjar, in separate three complaint cases No.COMA/806/2020 titled “Ashok Kumar Adlakha versus Baldev Wahi and others”, COMA/802/2020 titled “Ashok Kumar Adlakha versus Upma Wahi” and COMA/824/2020 titled “Ashok Kumar Adlakha

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versus Upma Wahi” filed under Section 138 of the Negotiable Instruments Act, 1881 (for short ‘NI Act’) whereby application filed by complainant/respondent No.2 for providing interim compensation under Section 143-A of the NI Act as incorporated by the Amendment Act of 2018 was allowed and petitioners were directed to pay amount of interim compensation to the tune of Rs.20% of cheque amount.

3. At the very outset, *dehors* merits of case, learned counsel for petitioner submits that petitioner is ready to deposit 10% of the cheque amount and requests to modify the impugned order, accordingly.

4. On the other hand, learned counsel for respondent No.2/ complainant states that he is also under instructions to give consent the aforesaid offer made by learned counsel for the petitioner, provided that trial is concluded expeditiously.

5. Vide orders dated 01.06.2022 and 06.06.2022 passed in all these three petitions, operation of impugned order dated 11.03.2022 was ordered to be stayed till next date of hearing. Thereafter, matter was heard on various occasions and interim order was also ordered to continue from time to time.

6. Since learned counsel for both the parties are *ad idem* that, in case, petitioner would pay 10% of the cheque amount to respondent No.2/ complainant as interim compensation, I am of the view that controversy would come to an end if it is so ordered.

7. Accordingly, impugned order dated 11.03.2023 is modified to the extent that petitioner(s) shall pay an amount of interim compensation to the tune of 10% of cheque amount, to respondent No.2/ complainant. Trial be concluded within 03 months from today.

8. Petitions are disposed of, accordingly.

9. Pending application(s), if any, shall also stand disposed of.

10. Photocopy of the order be placed on the file of the connected cases.

(ARUN MONGA)
JUDGE

September 15, 2023

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No