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

CRM-M-24790-2023

Date of Decision: May 16, 2023

Manpreet Kaur

.....Petitioner

Versus

Hardev Kumar

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.B.D.Sharma, Advocate
for the petitioner.

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RAJESH BHARDWAJ, J.(ORAL)

Instant petition has been filed under Section 482 Cr.P.C. praying for setting aside order dated 06.04.2023, Annexure P-3, regarding deposit of 20% of the compensation amount passed by learned Additional Sessions Judge, Amritsar, passed in CRA No.132/2023, dated 06.04.2023, which has been filed against the judgment dated 20.03.2023 passed by learned JMIC, Amritsar in NACT No.5951/2018 dated 31.10.2018 titled as “Hardev Kumar vs Manpreet Kaur”.

After arguing for some time, counsel for the petitioner fairly submits that petitioner is a poor house-wife and time of one month granted for making the payment is less and thus she be granted some more time for compliance of the order passed by learned appellate Court and the present petition may be allowed to be dismissed as withdrawn.

Allowed as prayed for.

A perusal of the order shows that the appellate Court while ordering deposit of 20% of the compensation amount, directed the petitioner

06.05.2023. It was also directed that bail/surety bonds shall be accepted subject to deposit of 20% of the compensation. Meaning thereby the petitioner has been granted time till 06.05.2023 for furnishing of bail/surety bonds as well as for deposit of 20% of the compensation. As per Section 148 of Negotiable Instruments Act, the appellate Court may order for deposit of minimum of 20% of the fine or compensation which shall be deposited within 60 days from the date of order or within such further period not exceeding 30 days as may be directed by the Court on sufficient cause being shown by the appellant.

Thus, it is clear that the appellate Court may grant 60 days for deposit of amount of compensation which it may further extend upto 30 days.

Keeping in view the fact that the petitioner, who is a poor lady, is ready to deposit 20% of the compensation, she is granted time of 90 days from the date of order, i.e. 06.04.2023 passed by the appellate Court. Now she can furnish bail/surety bonds as well as deposit 20% amount of compensation uptill 90 days from 06.04.2023.

Petition is dismissed as withdrawn in above terms.

May 16, 2023

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(RAJESH BHARDWAJ)

JUDGE

1. Whether speaking/reasoned ?

Yes/No

2. Whether reportable ?

Yes/No