

240 (5 cases).

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-1517-2023 (O&M)
Date of decision: 31.07.2023

Ranjit Singh ...Petitioner

VS

M/s Kissan Commission Agents, Grain Market Rayya, Tehsil Baba Bakala
Sahib, District Amritsar, and others. ...Respondents

2. CRR-1513-2023 (O&M)

Ranjit Singh ...Petitioner

VS

M/s R.P. Commission Agents, Grain Market Rayya, Tehsil Baba Bakala
Sahib, District Amritsar.

...Respondent

3. CRR-1514-2023 (O&M)

Ranjit Singh ...Petitioner

VS

M/s Joban Trading Company, Grain Market Rayya, Tehsil Baba Bakala
Sahib, District Amritsar.

...Respondent

4. CRR-1515-2023 (O&M)

Ranjit Singh ...Petitioner

VS

M/s Sarwan Singh Cheema and Sons, Grain Market Rayya, Tehsil Baba
Bakala Sahib, District Amritsar.

...Respondent

5. CRR-1516-2023 (O&M)

Ranjit Singh

...Petitioner

VS

M/s Gagandeep Commission Agents, Grain Market Rayya, Tehsil Baba
Bakala Sahib, District Amritsar.

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Gurpreet Singh, Advocate for
Mr. Ramnish Puri, Advocate,
for the petitioner(s).

ARUN MONGA, J. (ORAL)

Vide this common judgment, above-mentioned five cases are being disposed of since facts are analogues and issues raised therein are common. For brevity, recitals are taken from CRR No.1517 of 2023.

2. Petition herein *inter alia* is for setting aside impugned order dated 07.06.2023 passed by learned Additional Sessions Judge, Amritsar, vide which application seeking extension of time for furnishing bail bonds has been dismissed.

3. Pleaded case of petitioner is that one complaint under Section 138 of Negotiable Instruments Act, 1881 (for short "N.I.Act") was filed against him and others, for dishonor of cheques on account of "Insufficient Funds". After conclusion of trial, petitioner was convicted under Section 138 of N.I Act and sentenced to undergo rigorous imprisonment for a period of two years. Petitioner preferred appeal which has been admitted. Vide order dated 28.03.2023, sentence of petitioner has been suspended subject to his depositing 20% of compensation amount in view of latest amendment in the

Act.

3.1 Petitioner challenged order dated 28.03.2023 before this Court.

Vide order dated 28.04.2023 passed by a co-ordinate Bench of this Court, time to deposit 20% of the compensation amount was extended for 60 days.

3.2 Learned counsel for the petitioner contends that due to inadvertence and oversight he failed to convey order dated 28.04.2023. Petitioner moved an application for extension of time which has been dismissed vide impugned order dated 07.06.2023 (Annexure P-6).

4. Matter was heard by a co-ordinate Bench of this Court on 26.06.2023 and following order as passed:-

“XXX

XXX

XXX

By way of present petition, petitioner has assailed the order dated 07.06.2023 passed by Additional Sessions Judge, Amritsar vide which the application seeking extension of time for furnishing the bail bonds has been dismissed and further praying that application for furnishing bail bonds be allowed by extending the time for the same by a period of 1-2 days and further praying that during the pendency of the present petition, proceedings before the appellate Court below may be stayed. Learned counsel for the petitioner contends that he is ready to comply with the orders dated 28.03.2023, 27.04.2023 passed by the Additional Sessions Judge, Amritsar and order dated 28.04.2023 passed by this Court, by depositing 20 % amount of compensation along with cost of Rs. 1000/- to be paid in free legal aid fund.

Notice of motion.

Meanwhile, petitioner is directed to deposit 20% of the amount of compensation along with cost of Rs. 1000/- in compliance of the orders dated 28.03.2023, 27.04.2023 and 28.04.2023 before the Appellate Court/Vacation Judge, before the next date of hearing.

Adjourned to 28.06.2023.”

5. *Apropos*, on resuming hearing today, learned counsel for the petitioner states that amount equivalent to 20% of the compensation along with cost has already been deposited before the Court below.

6. It being so, petitioner is directed to appear as and when required before the appellate Court. It transpires that pursuant to deposit of 20%

compensation amount, he has already been admitted to bail. In case he has not been accorded the benefit of bail, on his appearing before the learned Appellate Court on the next date of hearing, he shall be admitted to bail by learned appellate Court on his furnishing bail bonds subject to its satisfaction.

- 7. Pending applications, if any, shall also stand disposed of.
- 8. Photocopy of this order be placed on the file of connected cases.

(ARUN MONGA)
JUDGE

31.07.2023
Sanjeev

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