

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

**CRM-M-45279-2023
DATE OF DECISION: 12.09.2023**

MANJIT SINGH

....PETITIONER

VERSUS

JOGINDER PAL SINGH

....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Goldy Jakhar, Advocate for the petitioner.

SANJIV BERRY, J. (ORAL)

Instant petition under Section 482 Cr.P.C. has been preferred by the petitioner seeking quashing of the order dated 29.05.2023 (Annexure P-5) passed by learned Judge, Special Court, Fazilka in CRM-389-2023 titled “*Manjit Singh Versus Joginder Pal Singh etc.*”

2. Learned counsel for the petitioner, *inter alia*, contended that the petitioner was convicted for an offence under Section 138 of Negotiable Instruments Act in a criminal complaint bearing NACT-1208-2018 titled “*Joginder Pal Singh Versus Manjit Singh*” (Annexure P-2) and had preferred appeal No. CRA-370-2022 (Annexure P-3) wherein the order dated 21.12.2022 (Annexure P-1) was passed by learned Additional Sessions Judge, Fazilka. Learned counsel for the petitioner further submitted that the petitioner could not satisfy the conditions of deposit of 20 per cent of the compensation amount within the stipulated period and as such had sought extension, which however was granted by learned Additional Sessions Judge, Fazilka, vide order dated 01.03.2023

CRM-M-45279-2023

2

(Annexure P-4). However, due to inability of the petitioner to deposit the amount, he has sought extension of time by moving an application, which, however, was dismissed vide order dated 29.05.2023 (Annexure P-5).

3. Learned counsel for the petitioner has limited his prayer in the present petition only to the extent that he may be granted two weeks time to deposit 20 per cent of the compensation amount before the Court of learned Additional Sessions Judge, Fazilka, where the appeal is pending in compliance to the order dated 21.12.2022 (Annexure P-1) read with (Annexure P-4), considering the fact that the petitioner has limited source of earning and the entire family is dependent on him.

4. After considering the submissions, perusing the record and also considering the antecedents of the petitioner, in the interest of justice, without commenting on the merits of the case, the petition is disposed of thereby granting two weeks time from today to the petitioner to deposit the amount of 20 per cent of the compensation amount in compliance to the order Annexure P-1 to Annexure P-5 passed by learned Additional Sessions Judge, Fazilka, in *CRA-370-2022 titled “Manjit Singh Versus Joginderpal Singh*.

5. Disposed of.

(SANJIV BERRY)
JUDGE

12.09.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |