

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

CRM-M-53997-2019 (O&M)
Decided on : 19.01.2023

Ranjit Kaur @ Seema

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. A.V.S. Barsat, Advocate
 for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

None for respondent No.2.

Manjari Nehru Kaul, J.(Oral)

Petitioner is seeking quashing of order dated 07.11.2019 (Annexure P-1) passed by Addl. Sessions Judge to the extent where Appellate Court while staying the compensation, directed the petitioner to deposit 1/3rd of the compensation amount within a period of one month under Section 148 of Negotiable Instrument Act (hereinafter referred to as 'Act') failing which the trial Court would initiate the recovery proceedings.

At the outset, learned counsel for the petitioner submits that the petitioner would be satisfied, if she is given a period of 60 days as prescribed under Section 148 of the Act to deposit 1/3rd of the compensation amount in compliance of the impugned order dated 07.11.2019.

Heard learned counsel for the parties and perused the relevant material available on record.

Section 148(2) of the Act provides that the amount of compensation, which may be directed by the Appellate Court to be paid by an accused under Section 148 (1) of the Act shall be deposited within 60 days from the date of such an order or within such further period as may be extended by the Court, which however, shall in no case exceed 30 days.

In the instant case, the petitioner was granted a period of only 30 days by the Lower Appellate Court to deposit 1/3rd of the amount of compensation. Hence, in view of the limited prayer made by learned counsel for the petitioner, this Court deems it appropriate to grant the petitioner a period of 60 days from today within which she shall positively deposit the 1/3rd amount of compensation in compliance of order dated 07.11.2019.

It is clarified that in case the petitioner fails to deposit the compensation amount within the aforesaid period of 60 days as directed by this Court, this order shall be of no avail to her after the expiry of 60 days.

Accordingly, the present petition stands disposed of in the above-said terms.

(MANJARI NEHRU KAUL)
JUDGE

19.01.2023

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No