

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

CRM-M-60704-2023

Date of decision : 14.12.2023

MANISHA JITENDRA MHATRE

....Petitioners

Versus

BRIJ SINGAL

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Saransh Sabharwal, Advocate for the petitioner.

PANKAJ JAIN, J. (ORAL)

Challenge is to the order dated 11.08.2023 passed by ASJ, Chandigarh whereby the petitioner has been directed to deposit 20% of the compensation amount imposed by the Trial Court under Section 357(3) of the Code within 60 days in the appeal preferred by the petitioner against his conviction in the proceedings under Section 138 of the N.I. Act.

2. Counsel for the petitioner relies upon judgment passed by the Apex Court in the case of “**Jamboo Bhandari vs. M.P. State Industrial Development Corporation Ltd. & others**” 2023(4) RCR (Criminal) 296. However, on query he admits that no application seeking exemption from depositing of 20% was ever moved by the petitioner before the Appellate Court.

3. Faced with the situation, counsel for the petitioner submits that keeping in view the financial condition of the petitioner she be granted an extended period to deposit the said amount of 20%.

4. Finding this request to be fair and innocuous this Court finds that there is no necessity to issue notice to the respondent.
5. Consequently, order dated 11.08.2023 passed by the Appellate Court is modified to the extent that 60 days which were granted by the Appellate Court is further extended up to 31st of January, 2024.
6. With the aforesaid modification, the present petition is disposed off.
7. However, in case the respondent/complainant feels aggrieved by the present order, liberty is granted to move an appropriate application seeking revival of the present petition.

December 14, 2023		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No