

129

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 62301 of 2023
Date of Decision:-12.12.2023

JASPAL SINGH

... Petitioner

Versus

MUKHTIAR SINGH

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Mohan Singh Rana, Advocate for the petitioner.

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SANJIV BERRY, J.

The instant petition under Section 482 Cr.P.C. has been preferred by the petitioner for quashing of the impugned portion of order dated 08.11.2023 (Annexure P-1) passed by learned Additional Sessions Judge, Kapurthala, whereby a condition for depositing 5% of the compensation amount i.e ₹5,00,000/- (₹25,000/-) to be deposited before the next date of hearing i.e. 19.12.2023 before learned Appellate Court while deciding the application under Section 389(3) Cr.P.C. and admitting the appeal (*CNR No. PBKP010059612023, CRA 261 of 2023*) titled as *Jaspal Singh vs. State of Punjab and another* which was filed to challenge impugned judgment and order of conviction dated 09.10.2023 passed by the learned Sub Judicial Magistrate, Sultanpur Lodhi vide which the sentence of two years along with compensation amount of ₹5,00,000/- under Section

138 of the Negotiable Instrument Act, 1881 in Criminal complaint No. NACT/81/2018 dated 26.02.2018, CNR No. PBKPB10004052018 titled as Mukhtiar Singh Vs. Jaspal Singh was passed.

2. Heard.

3. During the course of arguments, learned counsel for the petitioner submits that for the purpose of this petition, the petitioner will be satisfied in limiting his prayer only to the extent that he may be afforded one months time for depositing 5% of the compensation amount in terms of the order dated 08.11.2023 (Annexure P-1) passed by learned Additional Sessions Judge, Kapurthala.

4. Considering the submissions made by learned counsel for the petitioner and in the interest of justice, since the petitioner has limited his prayer only to the extent of being afforded one month time from today to deposit requisite 5% compensation amount as per order dated 08.11.2023 (Annexure P-1) passed by the Court of learned Additional Sessions Judge, Kapurthala, without commenting on the merits of the case, the instant petition is hereby disposed of, thereby affording the time of one month from today to deposit 5% compensation as per order dated 08.11.2023 (Annexure P-1) passed by the Court of learned Additional Sessions Judge, Kapurthala, in accordance with law.

5. The Petition stands disposed of.

(SANJIV BERRY)
JUDGE

12.12.2023

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