

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

264

**CRM-M-187-2024
Date of Decision: 19.11.2024**

JASPAL SINGH

...Petitioner

Vs.

**STATE OF PUNJAB AND
ANOTHER**

...Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Malvi Aggarwal, Advocate
for the petitioner.

Mr. M. S. Bajwa, DAG, Punjab.

Mr. Gurjit Singh, Advocate with
Mr. Aditya Sanghi, Advocate
for respondent No.2.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure with a prayer to quash the impugned order dated 02.11.2023 (Annexure P-3) passed by the Court of Additional Sessions Judge, Sangrur in **CRA-402-2023** titled as **Jaspal Singh Vs. Gurjit Singh**, whereby the petitioner had been directed to deposit the 20% of the total amount of compensation.

2. Learned counsel for the petitioner contends that the petitioner was tried for the offence punishable under Section 138 of the Negotiable Instruments Act 1881 and was ordered to be convicted on 26.10.2023 by the Judicial Magistrate First Class, Dhuri. He was also sentenced to undergo simple imprisonment for a period of 02 years and to pay a fine of Rs.2,85,000/- as compensation. Challenging



the validity of the judgment passed by the trial Court, the petitioner had filed a **CRA-402-2023** titled as **Jaspal Singh Vs. Gurjit Singh** before the Court of Additional Sessions Judge, Sangrur. The said appeal was heard by the Court of Additional Sessions Judge, Sangrur on 02.11.2023 and the Appellate Court had suspended the sentence imposed on the petitioner/appellant till the disposal of the appeal. He was ordered to be released on bail subject to furnishing of bail bonds in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the trial Court/Duty Magistrate within a period of 15 days, subject to the condition that he will deposit 20% of the compensation amount awarded by the trial Court within a period of 60 days in view of Section 148 of the Negotiable Instruments Act 1881.

3. I have heard learned counsel for the parties at length.
4. Learned counsel for the parties have agreed that the condition of depositing of 20% amount of compensation may be set aside and the petitioner/appellant may be directed to surrender before the Appellate Court within a period of 10 days from today.
5. Still further they have prayed that since the appeal is pending since long, appropriate directions may be issued to the Appellate Court to decide the matter within a certain stipulated time period.
6. In view of the submissions made by the learned counsel for the parties, the petitioner/appellant is directed to surrender before



the Appellate Court within a period of 10 days and on his appearance, his sentence shall be suspended subject to furnishing bail bonds and surety bonds to the satisfaction of the Appellate Court, if not already on bail. He shall be exempted from depositing 20% amount of compensation during the pendency of the appeal before the Appellate Court. Further, the Appellate Court is directed to decide the appeal within a period of 06 months from the next date of hearing fixed before the concerned Court.

7. With the aforesaid directions, the present petition stands disposed off.

19.11.2024

(N.S.SHEKHAWAT)

M.Sikka

JUDGE

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