

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

**CRM-M No.16430 of 2024
Date of decision : 05.04.2024**

Rajender Sharma

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Ravi Malik, Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

Present petition is directed against order dated 7th of March, 2024 passed under Section 148 of the Negotiable Instruments Act, 1881, whereby while entertaining the appeal, the petitioner being convict for offence punishable under Section 138 of the Negotiable Instruments Act, 1881 has been directed to pay 20% of the compensation amount as a condition to suspension of sentence.

2. Counsel for the petitioner relies upon law laid down by Apex Court in **Criminal Appeal No. 741 of 2024** titled as '**Rakesh Ranjan Shrivastava vs. The State of Jharkhand and another**' *decided on 15th of March, 2024*, to submit that 20% of the amount is the ceiling as prescribed under the provisions and thus the Court was required to give/record reasons for awarding maximum compensation. Counsel further submits that the petitioner is ready to pay 10% of the compensation amount.

3. In view of statement made by counsel for the petitioner, order dated 7th of March, 2024 passed by ASJ, Sonipat in CRA/72/2024 titled as ‘Rajender Sharma vs. Kuldeep’ is modified to the extent that the petitioner shall pay 10% of the compensation amount within the time period as stipulated therein.
4. Keeping in view the nature of relief granted to the petitioner, this Court does not deem it fit to issue notice to the respondent(s) at this stage. However, if aggrieved respondent(s) shall be at liberty to move an appropriate application.
5. Apart from the above modification, Appellate Court is directed to decide the appeal preferably within 6 months.
6. The petition is disposed off accordingly.

April 05, 2024
Dpr

(Pankaj Jain)
Judge

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