

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

132

1. 2024:PHHC:053670
CRM-M-18695-2024
Date of decision: April 22nd, 2024

Rajiv Kumar @ Rajiv SangarPetitioner

Versus

Monica MakenRespondent

2. CRM-M-18885-2024

Rajiv Kumar @ Rajiv SangarPetitioner

Versus

Harbhajan Lal Chandok (deceased) through his LRsRespondent

3. CRM-M-18890-2024

Rajiv Kumar @ Rajiv SangarPetitioner

Versus

Dr. D.N. SahniRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bipan Ghai, Senior Advocate
with Mr. Nikhil Ghai and Mr. Prabhdeep S. Bindra, Advocates
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in CRM-M Nos.18695 and 18885 of 2024 is for
quashing of order dated 21.02.2024 and in CRM-M No.18890 of 2024 is
for quashing of order dated 28.02.2024 passed by learned
Additional Sessions Judge, Gurugram, vide which the petitioner has been
ordered to deposit 20% of the compensation amount.

2. Learned senior counsel for the petitioner submits that the condition imposed by the learned Appellate Court was onerous, more so since the petitioner did not have the financial means to make payment of 20% of the compensation amount. A prayer has, therefore, been made to exempt the said condition.

3. I have heard learned senior counsel for the petitioner and perused the relevant material on record.

4. This Court is not inclined to exempt the petitioner from depositing 20% of the compensation amount during the pendency of the appeal as it would defeat the very purpose behind enactment of Section 148 of the Negotiable Instruments Act, 1881.

5. As a sequel to the above, there being no merit in these petitions, the same stands dismissed.

6. At this stage, learned senior counsel for the petitioner prays for extension of time to make payment of 20% of the compensation amount.

7. The petitioner is granted extension up to 22.05.2024 to make payment of 20% of the compensation amount.

April 22nd, 2024

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**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No