



CRM-M-31837-2024

143

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

CRM-M-31837-2024(O&M)

Decided on: 08.07.2024

Jasmer Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Arav Gupta, Advocate
for the petitioner.

Mr. Vikrant Pamboo, Sr. DAG, Haryana.

ANOOP CHITKARA, J.**CRM-26658-2024**

Allowed, as prayed for.

Main case

1. Seeking quashing of the order dated 04.06.2024 (Annexure P-12) passed by the Additional Sessions Judge, Kurukshetra in CRA No.95 of 2023 titled as Surender Kumar vs. Jasmer Singh arising out of NACT No.133 of 2019 titled as Jasmer singh vs. Surender Kumar, petitioner has come up before this Court by filing the present petition under Section 482 CrPC.

2. Counsel for the petitioner (complainant) submits that respondent No.2-accused was convicted for the offence under Section 138 of Negotiable Instruments Act and he assailed the said judgment before the Sessions Court and Appellate Court had insisted on deposit of 20% of compensation amount as per provision of 148 of Negotiable Instruments Act. However, instead of depositing the amount, convict had approached this Court and this Court had directed the Appellate Court to hear the appeal finally, subject to the condition that convict shall not seek any adjournment before the trial Court and the trial Court shall not insist for depositing the 20% of compensation amount. However, when the matter was listed for hearing on 04.06.2024, the convict sought adjournment and the Sessions Court also adjourned the matter. Counsel for the



CRM-M-31837-2024

petitioner submits that after taking relief from this Court, respondent is seeking adjournment time and again and not arguing the matter.

3. The nature of the order this Court proposes to pass, no notice is required to be passed in the present petition.

4. In the entirety of facts and circumstances, I am satisfied with the arguments raised by the petitioner's counsel and it appears that respondent is lingering on the matter.

5. Given above, petition is **partly allowed with the specific directions that in case convict-respondent No.2 seeks any adjournment beyond 19.07.2024, the trial Court can adjourn the matter for one week and after that, take up the matter on day to day basis. In case of non-cooperation of respondent, Appellate Court may appoint legal aid counsel on his behalf and shall decide the matter on priority basis without any delay.** All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

08.07.2024

anju rani

Whether speaking/reasoned: Yes

Whether reportable: No.