



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

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**CRM-M No.31428 of 2024
Date of decision : 8.7.2024**

Rupinder Kaur**.....Petitioner****Versus****M/s Sahi Ram Jawahar Lal****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Sunny K. Singla, Advocate, for the petitioner

SANDEEP MOUDGIL, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of order dated 18.4.2024 (Annexure P-4) passed by the Additional Sessions Judge, Sangrur, to the extent vide which petitioner was directed to deposit 20% of the total amount of compensation awarded by the trial Court in appeal bearing CRA No.225 of 2024 dated 18.4.2024 titled Rupinder Kaur v. M/s Sahi Ram Jawahar Lal, filed against judgment dated 18.3.2024 (Annexure P-1) passed by JMIC, Malerkotla, in a complaint under Section 138 of the Negotiable Instruments Act, 1881, bearing NACT-627 of 2017 dated 13.10.2017. Further prayer of the petitioner is to stay the aforesaid order during the pendency of the present petition.

2. After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to move an appropriate application before the lower Appellate Court, with the reasons/grounds on which he is asking for the waiver of 20% of the compensation amount as stipulated under Section 148 of the N.I. Act, who shall adjudicate afresh by passing order in the light of '**Jamboo Bhandari v. M.P. State Industrial Development Corporation Ltd. and others**', decided on 4.9.2023.

3. Prayer is accepted.

4. Dismissed as withdrawn with liberty aforesaid.

5. However, it is made clear that in case the Lower Appellate Court dismissed the application for waiver of the condition, the petitioner would be at liberty to approach this Court again on that cause of action.

(SANDEEP MOUDGIL)
JUDGE

8.7.2024
Ashwani

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