



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

145

CRM-M-37832-2024

Date of Decision: 05.08.2024

Harpreet Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Parveen Chauhan, Advocate
for the petitioner.

Ms. Swati Batra, DAG, Punjab (Through VC).

ANOOP CHITKARA, J.

Aggrieved by the order dated 21.03.2024 passed by the Additional Sessions Judge, Amritsar in CRA-383-2023 whereby the order dated 20.12.2023 was recalled and request for enlargement of time to deposit 20% of compensation amount has been declined, the petitioner has come up before this Court by filing the present petition under Section 528 of BNSS.

2. Counsel for the petitioner submits that he could not deposit 20 % of the compensation amount in time, as directed by the First Appellate Court while suspending his sentence. Later on vide impugned order, appellate Court declined his prayer to deposit the amount and recalled the order of his suspension of sentence and trial Court was directed to proceed further in accordance with law. He further submits that now with great difficulty he has arranged the money and undertakes to deposit the same on or before 31.08.2024.

3. Regarding respondent No.2-Charanjit Singh, the nature of order this Court proposes to pass would certainly favour him, as such, no notice or response is required.

4. Given such categorical statement, order dated 21.03.2024 shall remain stayed till 04.09.2024, subject to the condition that petitioner shall deposit the compensation amount in terms of the order dated 20.12.2023 passed by the Sessions Judge, Amritsar and shall handover the receipt thereof to the trial Court on or before 31.08.2024. Till then, any arrest warrants, if

issued shall remain stayed. It is further clarified that if petitioner fails to deposit the amount by 31.08.2024, this order shall stand recalled on 01.09.2024 at 11AM by resorting Section 403/528 of BNSS 2023.

5. Petition is partly allowed to the extent mentioned above. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

05.08.2024
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Whether speaking/reasoned	Yes
Whether reportable?	No