

2024:PHHC:113431



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-43012-2024 (O&M)
Date of decision : 02.09.2024

Naveen Kumar ...Petitioner

Versus

Sunil Kumar ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Arpandeep Narula, Advocate
for the petitioner.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed under Section 482 of Cr.P.C. seeking quashing of order dated 20.02.2024 (Annexure P-5), passed by the Court of learned Sessions Judge, Sirsa in Criminal Appeal No. 312 of 2023, titled as *Naveen Kumar vs. Sunil Kumar*, whereby, while suspending the sentence of the petitioner, as awarded to him in criminal complaint filed under Section 138 of Negotiable Instruments Act, 1881, the learned appellate Court had directed him to deposit 20% of the compensation amount as awarded by the trial Court on or before 22.03.2024.

2. After arguing for some time, learned counsel for the petitioner, finding that Court is not convinced, submits that this petition may be disposed of by giving liberty to the petitioner to appear before the appellate Court.

3. In view of the limited prayer made by the petitioner coupled with the fact that the appellate Court, while passing the impugned order, has observed that the instant case does not fall within the exceptions warranting grant of suspension of sentence without imposing condition of deposit of 20% of compensation amount/fine, the present petition is disposed of with a direction to the petitioner to appear before the appellate Court within a period of 10 days from today and on doing so, he will be released on bail, subject to his depositing 20% of the compensation amount in terms of the impugned order and also on furnishing personal/surety bonds to the satisfaction of the appellate Court.

02.09.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>