

CRM-M No. 44666 of 2024

122 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 44666 of 2024
Date of Decision: 10.09.2024

Sukhwinder Singh ...Petitioner

Versus

Ritu Bawa ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rahul Aggarwal, Advocate
for the petitioner.

ANOOP CHITKARA, J.

Criminal Complaint No.	NACT-272-2021 titled “Ritu Bawa vs Sukhwinder Singh”
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1. Seeking quashing of impugned order dated 18.05.2023 passed by JMIC, SAS Nagar whereby petitioner has been directed to pay 20% of the cheque amount as interim compensation, the petitioner has come up before this court under section 528 BNSS.
2. The nature of order this court proposes to pass, no response is required from the respondent.
3. Counsel for the petitioner has drawn attention of this Court to the impugned order wherein no reasons have been mentioned. While deciding the prayer made under Section 143-A, the Court must record brief reasons in view of the ratio of judgment of **Rakesh Ranjan Shrivastava vs The State of Jharkhand and another, 2024(2) RCR (Criminal) 279.**
4. I have also perused the impugned order and there is no reason mentioned as to why the Court has ordered payment of compensation of 20% of the cheque amount, as such, impugned order is set aside.

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5. The trial Court is directed to re-hear the application under Section 143-A of NI Act in the light of judgment of **Rakesh Ranjan Shrivastava vs The State of Jharkhand and another, 2024(2) RCR (Criminal) 279**. Parties are directed to appear before the trial Court on 04.10.2024 i.e. the date already fixed. This order is subject to the condition that the petitioner shall appear before the trial Court on 04.10.2024 and if he fails to appear, it shall be deemed to be a delay tactics and this order shall automatically re-called under Section 403 of BNS r/w 528 of BNS.

6. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

7. Petition allowed to the extent and subject to the conditions mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

10.09.2024
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.