

CRR-2205-2023

2024:PHHC:018185

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201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-2205-2023

Decided on:-07.02.2024

Harbans Lal

....Petitioner..

vs.

M/s Des Raj Ved Parkash

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kuldip Singh, Advocate for the petitioner.

Mr. Priyanshu Kamra, Advocate,
for the respondent.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition, prayer has been made for setting aside the order dated 22.08.2023 passed by the Court of Sessions Judge, Fazilka, whereby the petitioner was directed to deposit 20% of the compensation amount as awarded by the Trial Court.

2. In the present case, having been convicted by the Trial Court vide judgment dated 31.07.2023 passed in CrI.Comp. CIS No.NACT-1076/2018, the petitioner filed CrI. Appeal No.324/2023, titled as “*Harbans Lal vs. M/s Des Raj*”, which came up for hearing before the Court of Sessions Judge, Fazilka on 22.08.2023, the following direction was passed:-

“In case said 20% of compensation amount is not deposited by the appellant within the stipulated period, the bail granted to the appellant and his suspension of sentence shall stand cancelled automatically and learned Trial Court shall be at liberty to proceed against the applicant-appellant in accordance with law. The learned Trial Court/Duty Magistrate is directed to submit the intimation regarding requisite compliance by the

appellant”

3. By way of present revision petition, the aforesaid direction has been assailed by learned counsel for the petitioner.
4. It has been submitted that on account of poor financial condition of the petitioner, he could not deposit the aforesaid amount on earlier occasion, however, prays for 04 weeks’ time to do the needful.
5. To this, learned counsel for the respondent-complainant submits that he has no objection, in case, the aforesaid amount is deposited by the petitioner in the aforesaid period.
6. In view of the agreed stand taken by the parties, the order dated 22.08.2023 passed by the Court of Sessions Judge, Fazilka is modified to the extent that the petitioner shall deposit 20% of the compensation amount as directed therein within a period of 06 weeks from the date of receipt of certified copy of this order.
7. In the meanwhile, the suspension granted in favour of the petitioner shall remain operative. However, it is made clear that in case, the petitioner fails to deposit the aforesaid amount in the time period prescribed herein-above, the suspension granted in favour of the petitioner shall stand automatically vacated.
8. Disposed of accordingly.

07.02.2024
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(HARKESH MANUJA)
JUDGE

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