



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53338-2024
Date of Decision:24.10.2024

Rajinder Singh ...Petitioner

VS.

Shiv Nagpal and Anr. ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present: Ms. Riffi Birla, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of B.N.S.S with a prayer to quash the order dated 03.07.2023, passed by the Court of Additional Chief Judicial Magistrate, Fazilka (Annexure P-3) in complaint case No. NACT/865/2017 dated 13.11.2017,titled as “*Shiv Nagpal Vs.Rajinder Singh*”, where warrants of arrest have been issued against the petitioner for not depositing the 12% of the compensation amount.
2. At the very outset, learned counsel for the petitioner submits that the petitioner is ready to deposit the 12% of the compensation amount with the Court of Additional Sessions Judge, Fazilka within a period of 12 weeks from today and the impugned order dated 03.07.2023 (Annexure P-3) may be ordered to be re-called.
3. At this stage, no notice has been issued to the respondents as no adverse order is being passed against the respondents.

4. I have heard learned counsel for the petitioner at length.
5. The petitioner is permitted to deposit 12% of the amount of compensation as awarded by the Trial Court, with the Court of Additional Sessions Judge, Fazilka/Appellate Court within a period of 10 days and on her deposit of the said amount, no coercive action shall be taken against the petitioner as ordered by the Additional Chief Judicial Magistrate, Fazilka in the impugned order dated 03.07.2023. In the present case, the appeal was filed before the Appellate Court in the year 2022, the Appellate Court is directed to decide the appeal within a period of six months from the next date of hearing fixed before it.
6. The petition stands allowed in above terms.

24.10.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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