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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59444-2024
DECIDED ON: 28.11.2024

PAVNEET SINGH

.....PETITIONER

VERSUS

ATUL KUMAR

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. B.S. Guliani, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023, seeking quashing of impugned order dated 23.08.2024 passed in CRA-712-2024 titled as "Pavneet Singh vs. Atul Kumar ", vide which the Additional Sessions Judge has ordered the petitioner to deposit 15 % of the compensation in the shape of FDR as per Section 148(1) of Negotiable Instruments Act.
2. After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to move an appropriate application before the lower Appellate Court, with the reasons/grounds on which he is asking for the waiver of the compensation amount as stipulated under Section 148 of the Negotiable Instruments Act, who shall adjudicate afresh by passing in the light of *Jamboo Bhandari versus M.P. State Industrial Development Corporation Ltd. & Ors.*", decided on 04.09.2023.

- 3. Prayer is accepted.
- 4. Dismissed as withdrawn with liberty aforesaid.
- 5. However, it is made clear that in case the Lower Appellate Court dismissed the application for waiver of the condition, the petitioner would be at liberty to approach this Court again on that cause of action.

28.11.2024

Meenu

(SANDEEP MOUDGIL)
JUDGE

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