



120

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59558-2024
DECIDED ON: 28.11.2024

AJMER SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Parvesh Jaglan, 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 17.02.2024 passed in CRA-46-2024 titled as “M/s Aman Agro vs. M/s Mittal ”, vide which suspension of sentence has been granted to the petitioner subject to the condition to deposit 20% amount of the compensation awarded, which is totally wrong and liable to be set aside.

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 20% 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 Dismissed as withdrawn with liberty aforesaid.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