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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-1519-2025
DECIDED ON: 23.01.2025**

BALDEV SINGH

.....PETITIONER

VERSUS

**M/S SHRI RAM TRANSPORT FINANCE CO. LTD. AND ANOTHER
.....RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rhythem Bajaj, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of the impugned order dated 16.10.2024 (Annexure P- 1) passed by Ld. Addl. Sessions Judge, Fazilka in CRA-299-2024 vide which the petitioner was directed to deposit the 20% of the compensation amount awarded before the ld. trial court within 60 days from the date of the order as it is erroneous and unsustainable in the eyes of law.

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.

Prayer is accepted.

Dismissed as withdrawn with liberty aforesaid.

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.

23.01.2025

Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>