

136

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-8314-2025

Date of decision:-13.02.2025

M/s A & A ENTERPRISES AND ANR.

... Petitioners

Versus

M/S ARYA DIAMOND AND ANR.

... Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Bhupinder Singh, Advocate for the petitioner.

SANJIV BERRY, J. (ORAL)

1. The instant petition has been preferred under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, for quashing of the impugned order dated 05.02.2025 (Annexure P-4) whereby the case of the petitioner has been adjourned by learned Additional Sessions Judge, Karnal in CRA No. 231 of 2024, titled as "M/s A.K. Enterprises and another vs. Arya Diamond" to explain the reason for not depositing 20% of the amount of compensation.

2. A bare perusal of the impugned order (Annexure P-4) in consonance with the earlier orders passed by the learned Trial Court dated 02.08.2024, 06.11.2024 and 14.10.2024 would reveal that in fact the learned Additional Sessions Judge has not imposed for compensation but simply asked the petitioner to explain reason for not depositing 20% of the amount of compensation.

3. Faced with the situation, learned counsel for the petitioner has very fairly prayed for withdrawal of the present petition with liberty to move

appropriate application before the learned Additional Sessions Judge, Karnal in CRA No. 231 of 2024, titled as “M/s A.K. Enterprises and another vs. Arya Diamond” explaining the reasons as to why the petitioner will not be able to deposit 20% of the amount of compensation, in accordance with law.

4. Keeping in view the above facts and circumstances, the instant petition is dismissed as withdrawn with liberty to the petitioner to move appropriate application explaining reasons as to why he shall not be asked to deposit 20% compensation before the learned Additional Sessions Judge, Karnal dealing with CRA No. 231 of 2024 which shall be dealt with, in accordance with law.

5. Accordingly, the petition stands dismissed as withdrawn with the aforesaid liberty.

(SANJIV BERRY)
JUDGE

13.02.2025
Gyan

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No