



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

**CRM-M-9884-2025
DATE OF DECISION: 20.02.2025**

SURESH KUMAR ...PETITIONER

Versus

HEM SINGH ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr.Sandeep Saini, Advocate for the petitioner(s).

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of the BNSS 2023 for quashing the Order dated 27.03.2024 (Annexure P-1) passed by Additional Session Judge, Panchkula in Criminal Appeal No. CRA/41/2024 Suresh Kumar -Vs- Hem Singh, whereby the petitioner has been directed by the Court below to deposit an amount of Rs. 20% of the total compensation amount while exercising its jurisdiction under Section 148 of The Negotiable Instrument Act being totally illegal, perverse 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Dismissed as withdrawn with liberty aforesaid.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.

(SANDEEP MOUDGIL)
JUDGE

20.02.2025
anuradha

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