

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

2025:PHHC:049912



CRM-M-19677-2025

Date of Decision:09.04.2025

M/S SANDHYA KAUSHIK AND ANOTHER ...Petitioners
Vs.

E9 BUSINESS SOLUTIONS PVT. LTD. ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gaurav Datta, Advocate with
 Mr. Vaibhav Bhargav, Advocate and
 Mr. Jatin Kumar, Advocate for the petitioners.

SANDEEP MOUDGIL, J. (Oral)

The jurisdiction of this Court has been invoked under Section 528 of BNSS for setting aside/quashing the impugned order dated 20.12.2024 (Annexure P-1) passed by the Additional Sessions Judge, Chandigarh in CRA/3109/2024, dated 20.12.2024, whereby the operation of judgement and order dated 28.11.2024 (Annexure P-2), passed by JMIC, Chandigarh was stayed till disposal of appeal and the sentence imposed upon petitioner, and the order of imposition of compensation was suspended till such disposal of appeal, with a direction to deposit 20% of the compensation amount within 60 days, from today i.e., 20.12.2024 failing which the said order will cease to have effect.

After arguing for some time, learned counsel for the petitioners 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Dismissed as withdrawn with liberty aforesaid.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 petitioners would be at liberty to approach this Court again on that cause of action.

(SANDEEP MOUDGIL)
JUDGE

09.04.2025

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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*