

**144**

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

**CRM-M-23693-2025
DECIDED ON: 05.05.2025**

**FORTUNE GRAPHICS LIMITED THROUGH ITS DIRECTOER SH.
SUMIT TONDON AND ANOTHER**

.....PETITIONERS

VERSUS

**M/S VASUNDHRA ENTERPRISES THROUGH ITS REGISTERED
PARTNER SH. RAMAN SAKHUJA AND ANOTHER**

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Abhishek Khullar, Advocate
for the petitioners

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 for the quashing of order dated 26.04.2024 (Annexure P-4) passed by the Ld. Court of Danish Gupta ASJ, Jagadhri in CRA/137/2024 (i.e. an Appeal against conviction order dated 14.03.2024 in NI ACT- 1535-2016) to the extent that while passing the above-mentioned impugned order dated 26.04.2024 (Annexure P-4) the Ld. Appellate Court has imposed a condition for deposit of the 20% amount of cheque amount within 60 days from the date of passing of the impugned order as the same is totally nonspeaking in nature and against the settled principles of law.

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Dismissed as withdrawn with liberty aforesaid.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 petitioner would be at liberty to approach this Court again on that cause of action.

(SANDEEP MOUDGIL)
JUDGE

05.05.2025

Meenu

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