



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

**CRM-M-23999-2025
DECIDED ON: 05.05.2025**

RITU RAI SHARMA

.....PETITIONER

VERSUS

PADAM SHARMA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Charitar Kadyan, Advocate for
Mr. V.K. Kaushal, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 with prayer to quash the impugned Order dated 01.03.2025 (Annexure P-3) passed by the Additional Sessions Judge, Amritsar in CRA-62 of 2025 dated 01.03.2025 titled as "Ritu Rai Sharma Versus Padam Sharma" whereby, the petitioner has been ordered to be deposit 20% of compensation amount in the appeal filed by him against the conviction order dated 29.01.2025 (Annexure P-1) passed in complaint case No. NACT-3113/2020 dated 22.10.2020, under section 138 of Negotiable Instrument Act titled as "Padam Sharma versus Ritu Rai Sharma".

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Dismissed as withdrawn with liberty aforesaid.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.

05.05.2025
anuradha

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No