



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

**CRM-M-33982-2025 (O&M)
DATE OF DECISION : 07.07.2025**

SURENDER SHARMA

.....PETITIONER(s)

VERSUS

STATE OF HARYANA AND ANR

.....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Priyavrat Prashar, Advocate for the petitioner(s).

Mr. Chetan Sharma, DAG, Haryana.

SANDEEP MOUDGIL, J.(Oral)

The jurisdiction of this Court has been invoked under Section 528 of Bharatiya Nyaya Sanhita, 2023 for quashing of the Impugned Order dated 10.03.2025 (Annexure P-2) passed by the Ld. Additional Sessions Judge, Kaithal in Criminal Appeal vide CRA/90/2025 to the extent of the imposition of the condition of deposit of 20% of the compensation awarded by the Trial Court for the grounds mentioned in the instant petition;

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Dismissed as withdrawn with liberty aforesaid.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.

07.07.2025
anuradha

(SANDEEP MOUDGIL)
JUDGE

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