

125 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025.PHHC:086225



CRM-M-36786-2025
Date of Decision:15.07.2025

SHAMBHU KUMAR
Vs.
PAWAN SAYAL

...Petitioner
...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. B.R. Rana, Advocate for the petitioner.

SANDEEP MOUDGIL, J. (Oral)

The jurisdiction of this Court has been invoked under Section 528 BNSS for quashing of order dated 02.06.2025 passed by Learned Additional Sessions Judge, Ludhiana, whereby Learned Additional Sessions Judge, Ludhiana has directed the petitioner-accused to deposit 20% of the compensation amount (Rs.15,00,000/-) awarded by trial court within a period of 60 days from the date order i.e. 02.06.2025 as compensation.

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Dismissed as withdrawn with liberty aforesaid.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

15.07.2025

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