



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

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CRM-M-37524-2025
Date of decision: 17.07.2025

M/s G K Jewellers

...Petitioner

Versus

M/s Wadhwa Sons

...Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Mr. Arjun Veer Sharma, Advocate for the petitioner.

SANDEEP MOUDGIL, J.(ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 seeking quashing of impugned order dated 17.01.2025 (Annexure P-4) passed by the Additional Sessions Judge, Ludhiana in Crl. Appeal No.9867 of 2022, arising out of judgment dated 15.11.2022 passed in Criminal Case No. COMA/10932/2018 titled as M/s G K Jewellers versus M/s Wadhwa Sons, under Section 138 NI Act.

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Dismissed as withdrawn with liberty aforesaid.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**

17.07.2025

Hemant

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