



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

158

CRM-M-38499-2025
Decided on : 21.07.2025

Bionic Group & Co. and another

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Akshit Mehta, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Prayer in the present petition filed under Section 528 of BNSS, 2023, is for quashing of the impugned order dated **05.06.2025** (Annexure P-3), passed by learned Additional Sessions Judge, Sirsa, in Criminal Appeal No. **CRA-157-2025**, titled as '**Bionic Group & Co. etc. v. Shri Shyam Trade**', whereby, learned Appellate Court has adjourned the case for 25.07.2025 for deposition of 20% of compensation amount awarded by the trial Court.

2. Counsel for the petitioners submits that petitioner has mistakenly given statement before the Appellate Court (learned Additional Sessions Judge, Sirsa), as he will submit 20% amount till 15th July, 2025 and then requested for a date. Accordingly, time has been granted by the lower Appellate Court up-till 25.07.2025 for deposition of 20% of the compensation amount as well as for arguments.

3. Counsel further submits that the financial condition of the petitioner is not such that he could arrange 20% of the compensation amount for deposition of the same before the trial Court or before the Appellate Court, rather, in view of the law settled by Hon'ble Apex Court in **Jamboo Bhandari v. M.P. State Industrial Development Corporation Ltd. and others**, 2024(1) SCC (Cri) 90, and also in the case of **Muskan Enterprises and another v. The State of Punjab and another**, 2024 SCC Online SC 4107 : Law Finder Doc Id #2680202', it is obligatory over the Court to examine the



facts and circumstances of each and every case, and also the condition of the convict before it and then to pass the reasoned order.

He also submits that to enable the petitioner to move an appropriate application again before the Appellate Court for expressing his inability to pay the 20% of the compensation amount, he be allowed to withdraw the present petition.

3. Dismissed as withdrawn. Liberty is granted to the petitioner to move an appropriate application before the Appellate Court by expressing circumstances to show his inability to pay 20% of the compensation amount, and in case any such application is filed by the petitioner within a period of two weeks from today, same shall be decided by the Appellate Court in accordance with law, as also discussed by this Court in CRM-M-3861-2025, titled as, “M/s Devgan Rice and General Mills v. M/s Jasbir Bhullar Trading Company and another’ (D.O.D.: 28.01.2025), keeping in view the directions passed in Jamboo Bhandari’s case (supra) and Muskan Enterprises’s case (supra).

It is also made clear that till the decision of such application, no adverse order shall be passed against the petitioner.

4. Petition stands **disposed of** in above terms.

(SANJAY VASHISTH)
JUDGE

July 21, 2025

J.Ram

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No