



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

125

CRM-M- 39634-2025

Date of decision: 25.07.2025

Gaurav Kumar Jha

.....Petitioner

Versus

Karambir

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Pallavi Babbar, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 for quashing of the impugned order dated 19.04.2025 (Annexure P-3) passed by Ld. Additional Sessions Judge, Palwal to the extent vide which petitioner was directed to deposit 20% of the total amount of compensation awarded by Ld. Trial Court in appeal bearing registration no. CRA/88/2025 date of registration 19.04.2025 titled as "Gaurav Kumar Jha vs. Karambir", which has been filed against judgment dated 21.03.2025 (Annexure P-2) passed by Ld. JMIC, Hodal in complaint U/s 138 of Negotiable Instrument Act, 1881 titled as "Karambir Vs. Gaurav Kumar Jha", bearing no. NACT-116-2020 date of institution 10.08.2020.

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Dismissed as withdrawn with liberty aforesaid.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**

25.07.2025

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