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

**CRM-M-40528-2025 (O&M)
DECIDED ON: 30.07.2025**

GAURAV KUMAR JHA

.....PETITIONER(S)

VERSUS

DANVIR

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Pallavi Babbar, Advocate for the petitioner(s).
Mr. Bhupender Singh, Advocate for respondent.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 seeking quashing of order dated 19.04.2025 (Annexure P-3) to the extent condition imposed for depositing 20% of compensation amount as per section 148 of NI Act, 1881 imposed by Ld. ASJ, Palwal, while suspending the sentence of the Petitioner in CRA NO.87 of 2025 titled as "Gaurav Kumar Jha vs Danbir" arising out of complaint bearing no. N.I.Act-191-2020 titled as "Danvir Vs Gaurav Jha", (Annexure P-1), as the said condition is totally illegal, unjust and against the statutory rights of petitioner.

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Dismissed as withdrawn with liberty aforesaid.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.

30.07.2025
anuradha

(SANDEEP MOUDGIL)
JUDGE

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