



CRM-M- 46793-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 46793-2025

Date of Decision: 26.08.2025

JASBIR SINGH

... PETITIONER

VERSUS

HARJINDER SINGH

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sahil Soi, Advocate
for the petitioner.

SUBHAS MEHLA, J. (ORAL)

The petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing the order dated 22.05.2025 passed by the Additional Sessions Judge, Jalandhar in case CRA-228-2025 dated 14.05.2025 titled "*Jasbir Singh v. Harjinder Singh*" whereby the petitioner has been ordered to deposit 20% of the compensation amount as awarded by the trial Court with the aid of Section 148 of Negotiable Instruments Act, 1881 within a period of one month and the order of suspension of sentence has been passed subject to deposit 20% of compensation amount which is against the principles of law laid down by the Hon'ble Supreme Court of India in case of '**Jamboo Bhandari v. M.P. State Industrial Development Corporation Ltd. & others**'.

2. The peittioner is assailing the order passed by the Appellate Court while praying for exemption to deposit 20% of the compensation

amount.

3. Learned counsel for the petitioner contended that the petitioner was not provided any opportunity of hearing before passing the order. Petitioner is not in a position to pay any amount and there was exceptional circumstance due to which he was not required to deposit 20% of the compensation amount. In support of his contention, learned counsel has referred to '**Jamboo Bhandari v. M.P. State Industrial Development Corporation Ltd. & others**', in Criminal Appeal No. 2741 of 2023, SLP (Crl.) No.(S)4927 of 2023. Learned counsel contends that the Appellate Court was required to consider as to whether the case of petitioner falls in the exception or not.

4. The impugned order has been perused and the relevant portion of the same is as under:

There is nothing on record that the appellant/accused is having some medical history or having some financial constraint due to which he could not deposit the amount of 20% as per provisions of Section 148 of Negotiable Instruments Act.

5. Taking into consideration the observation made by the Appellate Court, this Court finds that the case of the petitioner does not fall under the exceptional category. Finding no infirmity and illegality in the order passed by the Court below, the petition is dismissed.

26.08.2025
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(SUBHAS MEHLA)
JUDGE

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