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313

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M No.61190 of 2024 (O&M)****Date of Decision: 21.01.2025**

Sunil Kawatra

... Petitioner

Versus

State of U.T. Chandigarh and Another

... Respondents**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Amarsh Dudeja, Advocate for the petitioner.

None for the respondent(s).

SANJAY VASHISTH, J.

1. The present petition has been filed under Section 528 BNSS, 2023 for quashing of impugned order dated 08.08.2024 passed by Additional Sessions Judge, Chandigarh whereby bail granted to the petitioner was cancelled.

2. Briefly, the petitioner was convicted for committing an offence under Section 138 of Negotiable Instruments Act, 1881 by the Court of learned Judicial Magistrate concerned. However, the appellate Court in an appeal filed by him, while granting bail on 14.03.2024, directed the petitioner to deposit 20% of the amount of compensation imposed by the learned trial Court under Section 357(3) Cr.P.C. within 15 days. Although bail bonds were duly furnished but 20% of the compensation amount which was ordered to be deposited by the Court of learned Addl. Sessions Judge in its order dated 14.03.2024, was not deposited. Consequently, non bailable warrants were issued vide impugned order dated 08.08.2024.

3. Hence, the petitioner is before this Court by way of present petition.

4. On previous date of hearing i.e. 09.12.2024, while issuing notice, this Court had observed that no coercive steps shall be taken against the petitioner till the next date of hearing. On being asked the petitioner informs

2025:PHHC:008939



CRM-M-61190-2024

that he has neither deposited 20% compensation amount nor he has appeared before the Court below to seek his regular bail. However, learned counsel for the petitioner expressed petitioner's inclination to deposit the said 20% compensation amount as ordered by the Court of learned Addl. Sessions Judge, Chandigarh vide order dated 14.03.2024.

5. Therefore, the petitioner submits that he be granted one more chance to appear before the Court concerned and furnish fresh bail bonds accordingly. This Court finds merit in the submissions made and consider it appropriate to grant another chance.

6. In view of above, let the petitioner appear before the appellate Court concerned on or before 07.02.2025 and on his appearance, he be released on bail by way of furnishing fresh bail bonds and thereupon, within three weeks thereafter the petitioner would deposit 20% of compensation amount as ordered by the learned appellate Court vide order dated 14.03.2024. Further, the appellate Court concerned would make endeavour to dispose of the appeal by deciding the same preferably within a period of 06 months, in accordance with law.

7. The petition stands disposed of, as above.

21st January, 2025*Sonia Puri*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No.

**(SANJAY VASHISTH)
JUDGE**