



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

**CRM-M-65407-2024  
DATE OF DECISION: 07.01.2025**

**KEWAL KRISHAN KUMAR                      ...PETITIONER**

**Versus**

**M/S RR TRADING COMPANY                      ... RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present:      Ms. Vibhuti Naranja, Advocate for the petitioner(s).

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**SANDEEP MOUDGIL, J (ORAL)**

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 seeking exercise of inherent jurisdiction of the Court for quashing of impugned order dated 11.03.2024 and 29.10.2024 (Annexure P-3 & P- 5 respectively) passed by Addl. Sessions Judge, Kurukshetra, in CRA No.113 of 2024 titled as 'Kewal Krishan Kumar Versus M/s R.R Trading Company, etc. arising out of criminal complaint NACT No.1019/2016 dated 26.10.2016 titled 'M/s R.R Trading Company Versus Shakti Bhog Foods Ltd., under section 138 of Negotiable Instruments Act, 1881 vide which the petitioner has been directed to deposit 20% compensation learned lower amount awarded by Appellate of the Court within 60 days as per provisions contained in Section 148 of the Negotiable Instruments Act.

After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to



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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Dismissed as withdrawn with liberty aforesaid.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

07.01.2025  
anuradha

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