

CRM-M-29439-2026

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of Decision: May 22, 2026

Sukhwant Singh

...Petitioner(s)

Versus

Dalvar Singh

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Dhanika S. Bector, Advocate for the petitioner.

SANJAY VASHISTH, J.

1. Prayer in the present petition filed under Section 528 of BNSS, 2023, is for quashing of the impugned order dated 18.03.2026(P-2), passed by learned Additional Sessions Judge, Ludhiana in Criminal Appeal No.CRA-405-2026, whereby, learned Court directed the petitioner to deposit 20% of the compensation amount awarded by learned trial Court.
2. For the sake of brevity, the basic details of this petition have been summed up in tabular form, as under:-

1.	Complaint No.	COMA/2139/2019, under Section 138 of the NI Act, 1881
2.	Judgment of conviction	16.02.2026, passed by Judicial Magistrate First Class, Ludhina (Trial Court)
3.	Criminal Appeal No./Criminal Misc. Application	CRA-405-2026
4.	Date of impugned order	18.03.2026, passed by Additional Sessions Judge, Ludhiana(Appellate Court)

3. The issue involved in this petition is no longer *res integra*, and the same has been answer by the Larger Bench/Division Bench of this Court, vide detailed order dated 24.09.2025, passed in the case of M/s Coromandel International Limited v. Shri Ambica Sales Corporation, Law Finder Doc Id # 2783918 : 2025 (4) RCR (Criminal) 490.
4. Thereafter, by following the view point of the Larger Bench/Division Bench in the matter of M/s Coromandel International



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Limited, this Court also passed a detailed order in the case of **Shivam Jindal v. Shubhan Ali** (CRM-M-56288-2025 (O&M), decided on 17.11.2025) and other connected petitions.

5. In view of above, matter in hand is required to be sent back to the Appellate Court, for decision afresh on the application for suspension of sentence of the appellant/petitioner herein, in consonance with the order dated 24.09.2025, passed by the Larger Bench/Division Bench of this Court in the case of **M/s Coromandel International Limited** (supra), and subsequent order dated 17.11.2025, passed by this Court in the case of **Shivam Jindal** (supra).

6. Ordered accordingly.

7. The said exercise shall be undertaken by the Appellate Court not later than 15 days from the date of receipt of a certified copy of this order, and after issuing notice(s) to the respective parties.

8. Further, it is directed that till the time application for suspension of sentence is decided afresh, the condition of deposit of 20% of the compensation amount, as directed by the Appellate Court in its earlier order, shall remain inoperative, and the bail shall not be cancelled in consequence thereof.

9. In case the Appellate Court, after re-appreciation of the matter, comes to the conclusion that the deposits are expensive than the liberty, and the convict is not in a position to deposit and likely to forego his liberty even when the first appeal is yet to be decided, the Appellate Court must make efforts to prioritize hearing appeal filed against the conviction under Section of the 138 NI Act and decide the same preferably within next sixty days of passing of fresh order, and not later than ninety days, which clearly aligns with the legislators' intentions. However, the time of sixty days should be extended to the extent to which the decision of the appeal is delayed because of the complainant.

10. Registry is directed to transmit copy of this order to the respective Appellate Court (as detailed in para No. 2 above) forthwith for compliance.

11. **Present petition stands disposed of in the above terms.**



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Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

May 22, 2026
Rashmi

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO