



CRM-M-73841-2025 (O&M)

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****168**

CRM-M-73841-2025 (O&M)

Date of Decision: 26.02.2026

Kashi Ram @ Kanshi Ram

.....Petitioner

versus

Tetarwal Trading Company and another

.....Respondents

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr. Rhythem Bajaj, Advocate, for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

SUBHAS MEHLA, J (ORAL)

1. Present petition has been filed for quashing of order dated 09.10.2025 (Annexure P-2), passed by learned Additional Sessions Judge, Fazilka, passed in CRA-279-2025 in Complaint No.NACT/1300/2021 dated 09.08.2021, whereby petitioner was directed to deposit 20% of the total amount of compensation imposed by the trial Court within a period of 60 days.

2. Learned counsel for the petitioner contends that the petitioner is incapable of depositing 20% of the compensation imposed by the learned trial Court as he is a small farmer, owning a small portion of land in a village in District Sri Ganganagar, Rajasthan; the petitioner and his family's only source of income is farming upon this land; however, due to unusually heavy monsoon rains in August and releasing of surplus water in several villages, the present petitioner has faced a devastating waterlogging crises, due to which, the complete crop of the petitioner has been damaged. Therefore,



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prayer is made to exempt the petitioner to deposit the 20% of the fine amount.

3. Learned counsel for the petitioner limited his prayer that he will move an application before the learned Appellate Court to raise all the pleas taken before this Court. Learned counsel placed reliance upon judgment passed by Hon'ble the Supreme Court in **Jamboo Bhandari vs. M.P. State Industrial Development Corporation Ltd. And others [2023 (4) RCR (Criminal) 296]**, and judgment passed by Coordinate Bench of this Court in **CRM-M-25250-2025** vide order dated 05.08.2025, **CRM-M-17165-2025** vide order dated 01.04.2025, **CRM-M-15760-2025** vide order dated 21.03.2025 and **CRM-M-17615-2025** vide order dated 01.04.2025.

4. Heard.

5. While passing the impugned order, the learned Appellate Court has given a period of 60 days to deposit 20% of compensation amount, however, petitioner did not move any application before such Court for waiving off the requirement to deposit 20% of compensation amount. Moreover, if the petitioner was bonafide on his part, he would had approached this Court before the expiry of the stipulated time period of 60 days, but he did not do so.

6. Keeping in view the act and conduct of the petitioner and the above stated facts, this Court does not find any merit in the present petition, the same is dismissed being devoid of merits.

7. All pending misc. applications, if any, be also disposed of.

26.02.2026

Geeta

(SUBHAS MEHLA)
JUDGE