



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-23832-2024  
DECIDED ON: 10.07.2025

BALWINDER SINGH

.....PETITIONER

VERSUS

HARBANS SINGH AND ANR.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sunny K. Singla, Advocate  
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. for quashing of the impugned order dated 28.02.2024 (Annexure P-4) passed by Ld. Additional Sessions Judge, Sangrur to the extent vide which petitioner was directed to deposit 20% of the total amount of compensation awarded by Ld. Trial Court in appeal bearing registration no. CRA/120/2024 date of registration 28.02.2024 titled as "*Balwinder Singh Vs. Harbans Singh and another*", which has been filed against judgment dated 30.01.2024 (Annexure P-1) passed by Ld. JMIC, Malerkotla in complaint U/s 138 of Negotiable Instrument Act, 1881 titled as "*Harbans Singh Vs. Balwinder Singh*", bearing no. NACT-976-2019 date of institution 18.12.2019.

After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to 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Dismissed as withdrawn with liberty aforesaid.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

10.07.2025

*Meenu*

*Whether speaking/reasoned* : Yes/No

*Whether reportable* : Yes/No