



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-12170-2025
Decided on : 05.03.2025

Govinda . . . Petitioner(s)

Versus

Rajan Arora . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Namish Sodhi, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Challenge before this Court is to the order dated 28.10.2024 (Annexure P-4), passed by the Court of learned Additional Sessions Judge, Amritsar, in Criminal Appeal No. CRA-183 of 2024, titled as, "Govinda v. Rajan Arora", whereby, proceedings arising from Criminal Complaint No. NACT/648/2021, dated 01.03.2021, under Section 138 of the Negotiable Instruments Act, 1881 (for brevity, 'NI Act'), vide which, bail granted to the petitioner, has been ordered to be cancelled, on account of non-deposit of the 20% compensation amount, in pursuance to the order dated 29.05.2024.

2. Counsel for the petitioner submits that monetary dispute between the petitioner and respondent – Rajan Arora, has already been resolved during the pendency of appeal before the Appellate Authority and complete amount, as settled between the parties, has also been paid by the petitioner to the respondent-complainant.

Further submits that in view of the position submitted before this Court, order of cancellation of bail, would not be justified, because, spirit of Section 148 of NI Act, has already been met with by making complete payment to the respondent-complainant.

3. Notice of motion.

4. At this stage, Mr. Akshay Bector, Advocate, puts in appearance on behalf of the respondent-complainant and files his *Vakalatnama*, in Court, which is taken on record, subject to all just exceptions.



5. Counsel for the respondent-complainant also affirms the submissions made by counsel for the petitioner before this Court.

6. After going through the order dated 29.05.2024 and subsequently passing the order dated 28.10.2024 (P-4), and after hearing submissions addressed by counsel for the petitioner, which have been confirmed by counsel appearing for the respondent-complainant, petitioner is directed to move an application before the Appellate Court where his appeal is pending and explain all the circumstances for recalling the direction to deposit 20% of the compensation amount.

It would be open for the petitioner to move an application for compounding of the alleged offence, and upon filing such an application, the same would be disposed of, in accordance with the law.

Let the concerned applications, as noted above, be moved within a period of two weeks from today, and upon doing so, no effect shall be given to the non-deposit of the 20% ordered compensation amount, un-till the decision on such applications.

7. The petition stands disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

March 05, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No