



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M No.20269 of 2023 (O&M)

Date of Decision :16.09.2025

Vinod Kumar

.....Petitioner

Versus

Amar Singh

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present : Mr. P.S.Chauhan, Advocate for the petitioner.

Mr. Sagar Dangi, Advocate for the respondent.

SURYA PARTAP SINGH, J. (Oral):

Challenge in this petition is the order dated 18.11.2022, whereby a direction has been issued by the learned trial Court to the petitioner-accused to pay 20% of cheque amount as interim compensation to the respondent-complainant.

2. This petition has been filed on the ground that without looking into the reasoning and without giving any opportunity of being heard to the petitioner accused the above mentioned order has been passed.

3. While referring to the principles of law laid down by the Hon'ble Supreme Court in a case of '*Jamboo Bhandari v. M.P. State Industrial Development Corporation Ltd. and others*', learned counsel for the petitioner has contended that it was incumbent upon the learned trial Court to give reasons for awarding 20% of interim compensation to the respondent-complainant. According to learned counsel for the petitioner since the impugned order has been passed without hearing the petitioner, the above mentioned order is not sustainable, deserve to be set aside and the instant case



may be remanded back to the learned trial Court for passing a fresh order after hearing the petitioner.

4. Per contra, learned counsel for the respondent has argued that in compliance with the order dated 18.11.2022, not even a single penny has been paid by the petitioner-accused with the above mentioned lapse of the petitioner-accused is causing hardship to the respondent-complainant and, therefore, he is not entitled for any relief.

5. The record has been perused carefully.

6. A perusal of the record shows that the order dated 18.11.2022 passed by the learned Trial Court without assigning any reasons justifying the direction to pay 20% of cheque amount as interim compensation to respondent-complainant. Since the above mentioned order does not meet the requirement of law laid down by Hon'ble Supreme Court in *Jamboo Bhandari's case (Supra)*. It is hereby held that the same is not sustainable, hence the order dated 18.11.2022, is hereby quashed to the extent of directions passed by the learned trial Court with regard to payment of interim compensation. However, the learned trial Court shall be at liberty to pass fresh order by assigning reasons as per requirement of law and such order be passed within a period of 2 months after affording opportunity of being heard to both the parties and both the parties shall appear before the learned trial Court on 30.10.2025.

Present petition stand disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

16.09.2025

Manoj Bhutani

Whether speaking/reasoned Yes/No
Whether reportable Yes/No