



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

**CRM-M-10245-2025  
DATE OF DECISION: 21.02.2025**

**SURINDER KUMAR                    ..PETITIONER**

**Versus**

**VIJAY KUMAR                    ... RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Sarthak Jindal, Advocate for the petitioner(s).

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**SANDEEP MOUDGIL, J (ORAL)**

The jurisdiction of this Court has been invoked under Section 528 of The Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to quash the impugned order dated 13.2.2025 (Annexure P-2) passed by Addl. Sessions Judge, Ludhiana, in Crl. Appeal No.160 dated 11.2.2025 titled as Surinder Kumar Vs. The State of Punjab etc. in Crl. complaint No.COMA No.25082 of 2019 dated 8.8.2019 under section 138 of the N.I. Act titled as Surinder Vijay Kumar Vs. Kumar whereby petitioner has to deposit compensation the been ordered 20% amount awarded by trial of as court within a period of 60 days.

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Dismissed as withdrawn with liberty aforesaid.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

21.02.2025  
*anuradha*

*Whether speaking/reasoned*      *Yes/No*

*Whether reportable*              *Yes/No*