



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

**CRM-M-29465-2025
DECIDED ON: 27.05.2025**

JAGIRO DEVI

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Pawan Attri, Advocate
for the petitioner.

Mr. Chetan Sharma, DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 BNSS, 2023 seeking quashing of the Impugned Orders dated 04.05.2024 (Annexure P-4) and 14.05.2025 (Annexure P-11) passed by the Ld. Court of Sessions Judge, Kurukshetra in Criminal appeal bearing CRA no. 54 of 2024 case titled as "Jagiro Devi Vs. Jag Ram and others" arising out of Complaint NACT No. 322 of 2018 dated 05.10.2018 whereby the Ld. Appellate Court has imposed an onerous condition upon the petitioner that in case, the petitioner fails to make the remaining payment towards 20% of the awarded compensation under section 148 NI Act, order qua suspension of sentence shall stand cancelled.

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Dismissed as withdrawn with liberty aforesaid.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

27.05.2025

Poonam Negi

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No