



CRR-2174-2025 (O&M)

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

CRR-2174-2025 (O&M)

Date of decision : September 03, 2025

Shiv Kumar

..... Petitioner

Versus

Devender Kumar Chugh and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. B. S. Virk, Advocate for

Mr. D. P. S. Bajwa, Advocate for the petitioner.

VINOD S. BHARDWAJ, J (Oral)

1. The instant petition has been filed impugning the order dated 05.07.2025 whereby the Additional Sessions Judge, Panipat has directed the petitioner to deposit 20% of the compensation amount of Rs. 15,15,000/- within a period of 60 days from the date of passing of the order failing which the bail of the petitioner shall be cancelled and order of suspension of sentence shall be withdrawn.

2. Learned counsel for the petitioner contends that the Court vide order dated 05.07.2025 has directed the petitioner to deposit 20% of the compensation amount while considering the application for suspension of sentence of the petitioner without even granting an opportunity to the petitioner to establish the underlying circumstances and financial hardship faced by the petitioner which render him incapable of making the pre-deposit. He further contends that the petitioner would be satisfied in case he is granted an opportunity to move an appropriate application to put forth the circumstances as would require a lenient view to be taken and the requirement of pre-deposit to be revisited.



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3. In view of the order which this Court proposes to pass, the issuance of a formal notice to the respondent would not be necessary.

4. Having gone through the impugned order as well as the averments contained in the present petition, I am of the opinion that the present petition can be disposed of with liberty to the petitioner to move an appropriate application for seeking waivers/redetermination of the pre-deposit by way of an appropriate application within a period of 10 days from today. In the event of any such application having been filed by the petitioner, the appellate court shall consider the said application in view of the law laid down by the Hon'ble Supreme Court in the matter of **Jamboo Bhandari Vs. M.P. State Industrial Development Corporation Ltd. and others**, Criminal Appeal No.2741 of 2023 decided on 04.09.2023.

5. The order of suspension of sentence of the petitioner is directed to remain in operation for a period of 10 days from today so as to enable the petitioner to move such an application before the appellate court and thereafter, an appropriate order shall be passed by the court dealing with the said application.

6. The present petition stands disposed of.

7. All pending applications, if any, shall also stand disposed of.

**(VINOD S. BHARDWAJ)
JUDGE**

September 03, 2025

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**Whether speaking/reasoned
Whether Reportable :**

**Yes/No
Yes/No**