

CRA-94-2026

Baljodh Singh Versus Jasbir Kaur another  
Present Appellant with counsel Shri Jaswant Singh, Advocate.

The Criminal Appeal against judgment of conviction and sentence order received by entrustment along with separate application for suspension of sentence awarded by Trial Court. It be registered. Arguable points are involved and thus, the appeal is admitted for hearing.

Since the sentence awarded to the appellant is less than three years and disposal of the appeal is likely to take time, so during the pendency of the appeal the sentence regarding the imprisonment as well as amount of compensation awarded to the appellant is suspended and the appellant is ordered to be released on bail on furnishing bail/ surety bonds in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of the Ld. Trial Court/ Duty Magistrate Faridkot within 15 days from today. The bail bonds, after acceptance be sent to this Court.

In *Jamboo Bhandari vs M.P. State Industrial Development Corporation Limited and others*, 2023 (10) SCC 776, it was held by the Hon'ble Supreme Court that normally, Appellate Court will be justified in imposing the condition of deposit as provided in Section 148. However, in a case where the Appellate Court is satisfied that the condition of deposit of 20% will be unjust or imposing such a condition will amount to deprivation of the right of appeal of the appellant, exception can be made for the reasons specifically recorded.

In view of aforesaid pronouncement, Appellate Court has discretion to waive off the condition of 20% of payment of compensation only in exceptional circumstances required to be demonstrated through compelling and substantiated material provided by the appellant/convict. No such exceptional circumstances has been shown by the appellant.

Hence, in compliance of Section 148 of Negotiable Instruments Act, 1881 and in the light of law laid down by Hon'ble Supreme Court in *Surinder Singh Deshwal alias Colonel S.S. Deshwal v. Virender Gandhi*, (2019) 11 SCC 341, the appellant through counsel is directed to deposit 20% of the cheque amount/compensation within 60 days before learned Trial Court.

Adjourned to 10.09.2026 for arguments. Notice to respondents be issued for said date. Record of the Ld. Trial Court be also summoned on the date fixed.

Dated: 05.05.2026

*Amit Kumar*

(Parveen Bali),  
Additional Sessions Judge,  
Faridkot /UID no. PB0688