

CNR No. PBSG010089962023

CRA-324-2023

Karamjit Singh Vs. M/S Nivdeep Tyres etc.

Present: Sh. S.K. Verma Adv. for appellant.

Criminal appeal presented today. It is registered.

An application under section 389 Cr.P.C for suspending the sentence of imprisonment and releasing the applicant on bail during the pendency of the appeal has also been filed. Heard. Appellant/accused has been convicted and sentenced for the offence under Section 138 of N.I. Act. The appellant has been sentenced to undergo R.I. for the period not exceeding three years. As the disposal of the appeal is likely to take time, hence the sentence of imprisonment awarded to the appellant/accused is suspended till the decision of the appeal, subject to furnishing the bail bonds in the sum of Rs. 50000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate within a period of 15 days from today. Accused is directed to appear before the Court on each and every date of hearing. Bail bonds etc. after acceptance and attestation shall be transmitted to this Court.

Perusal of the judgment dated 14.08.2023 further reveals that the accused is directed pay compensation to the tune of Rs. 2,70,000/- to the complainant. Therefore, in the light of the amended provision of Section 148 of the NI Act and the judgment of the Hon'ble Supreme Court in Criminal appeal Nos.917-944 of 2019 (arising out of SLP (Criminal) Nos. 4948-2975/2019 Surinder Singh Deswal @ Col. S.S.Deswal Versus Virender Gandhi decided on 29.05.2019, the appellant is directed to

deposit 20% of the total amount of compensation awarded by the trial Court within 60 days from today.

If the accused fails to pay the 20% of total compensation amount within the stipulated period, the order of suspension shall automatically stands vacated.

Let, notice of the appeal be issued to the respondent for 6.2.2024.

Date of Order: 15.9.2023
Avtar Singh, Stenographer-II

(Girish)
ASJ/Sangrur,
UID NO . PB0180