

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA****Cr.MMO No.432 of 2026****Date of Decision: 07.05.2026****Attar Singh****.....Petitioner****Versus****The H.P. State Co-operative Agricultural
and Rural Development Bank****.....Respondent****Coram***Hon'ble Mr. Justice Sandeep Sharma, Judge.**Whether approved for reporting?***For the Petitioner:** Ms. Srishti Negi, Advocate.**For the Respondent:** Mr. Ishan Kashyap, Advocate.**Sandeep Sharma, J.** *(Oral)*

Petitioner herein, who is accused in proceedings initiated against him under Section 138 of the Negotiable Instruments Act, is aggrieved of order dated 27.03.2026, whereby an application for extension of time to deposit 20% of the compensation amount, in terms of order dated 15.12.2025 passed by the learned Additional Sessions Judge, Paonta Sahib, District Sirmaur, came to be dismissed.

2. Having regard to the nature of dispute and order proposed to be passed, this Court sees no reason to issue notice to respondent, who is otherwise represented by Mr. Ishan Kashyap, Advocate.

3. Petitioner herein, being aggrieved and dissatisfied with the judgment of conviction and order of sentence dated 13.08.2025 passed by the learned trial Court, filed appeal in the Court of learned Additional



Sessions Judge, Paonta Sahib, District Sirmaur, along with application for suspension of sentence. Afore application filed by the petitioner came to be allowed vide order dated 15.12.2025, subject to his depositing 20% of the compensation amount, but fact remains that despite repeated opportunities, afore order never came to be complied with. Since time granted to the petitioner to deposit 20% of the compensation amount come to an end on 14.01.2026 and thereafter, he never moved application for extension of time, and thereafter filed application for extension of time after a lapse of more than three months, learned Additional Sessions Judge dismissed the afore application vide order dated 27.03.2026, as he had no power to extend the time beyond 90 days. In afore background, petitioner has approached this Court in the instant proceedings filed under Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023, praying therein to set aside aforesaid order dated 27.03.2026 and grant one opportunity to deposit the amount in terms of order dated 15.12.2025.

4. Though having carefully perused averments contained in the petition, vis-a-vis reasoning assigned in the order dated 27.03.2026, this Court sees no illegality and infirmity in the same, however, having taken note of statement made by learned counsel representing the petitioner that in any eventuality, 20% of the compensation amount, in terms of order dated 15.12.2025, shall be deposited within a period of two weeks, this Court, without going into the merits of the case, deems it fit to dispose of



the present petition with the direction to petitioner to deposit 20% of the compensation amount in terms of order dated 15.12.2025 passed by the learned Additional Sessions Judge, Paonta Sahib, District Sirmaur, within a period of two weeks, failing which no more opportunity shall be granted by the Court below for depositing 20% of the compensation amount as well as furnishing bail bonds and thereafter, respondent would be at liberty to get the judgment of learned trial Court executed in accordance with law. Ordered accordingly.

The present petition is disposed in the above terms, so also the pending miscellaneous application(s), if any.

May 07, 2026

Rajeev Raturi

**(Sandeep Sharma),
Judge**