



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MMO No.409 of 2026

Date of Decision: 04.05.2026

Sh. Sudesh Kumar

.....Petitioner

Versus

Punjab National Bank and Another

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?

For the Petitioner: Mr. Janak Raj and Mr. Abhinav Mehta,
Advocates.

For the Respondent: Mr. Sanjay Dalmia, Advocate, for respondent
No.1.

Mr. Rajan Kahol & Mr. Vishal Panwar, Additional
Advocates General, with Mr. Ravi Chauhan and
Mr. Anish Banshtu, Deputy Advocates General,
for respondent No.2/State.

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 21.04.2026, whereby an application for extension of time to deposit 20% of the compensation amount, in terms of order dated 27.10.2025 passed by the learned Additional Sessions Judge, Nurgpur, District Kangra, 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 respondents, who



are otherwise represented by Mr. Sanjay Dalmia, Advocate and Mr. Rajan Kahol, learned Additional Advocate General.

3. Petitioner herein, being aggrieved and dissatisfied with the judgment of conviction and order of sentence dated 08.09.2025/19.09.2025 passed by the learned trial Court, filed appeal in the Court of learned Additional Sessions Judge, Nurpur, District Kangra, along with application for suspension of sentence. Afore application filed by the petitioner came to be allowed vide order dated 27.10.2025, subject to his depositing 20% of the compensation amount, but fact remains that despite repeated opportunities, afore order never came to be complied with. Prior to filing the application, which is subject matter of the case, petitioner-accused had also filed application for extension of time to comply with the order dated 27.10.2025. Though afore application was allowed vide order dated 07.01.2026 and time was extended till 27.01.2026, but yet petitioner failed to comply with the order dated 27.10.2025 and thereafter, filed another application for further extension of time, which came to be rejected by the learned Additional Sessions Judge, Nurpur, District Kangra, vide order dated 21.04.2026, 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 21.04.2026 and



grant one opportunity to deposit the amount in terms of order dated 27.10.2025.

4. Though having carefully perused averments contained in the petition, vis-a-vis reasoning assigned in the order dated 21.04.2026, 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 27.10.2025, shall be deposited within a period of one week, 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 27.10.2025 passed by the learned Additional Sessions Judge, Nurpur, District Kangra, within a period of one week, 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 04, 2026

Rajeev Raturi

**(Sandeep Sharma),
Judge**