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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-27527-2026

Date of decision: 15.05.2026

RAJESHWAR KUMAR SHARMA

....Petitioner

Versus

STATE OF PUNJAB AND ANR.

....Respondents

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Manoj K. Sharma, Advocate for the petitioner.

Mr. J.S. Rattu, DAG Punjab.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

Prayer in the instant petition filed under Section 528 of BNSS, is for issuance of directions to learned Additional District Sessions Judge, Hoshiarpur to decide the application dated 28.10.2024 expeditiously filed in CRA No.6 of 2024 titled as '*Sarabjit Singh vs. Rajeshwar Kumar Sharma*'.

Learned counsel for the petitioner submits that respondent No.2 was convicted by the learned Trial Court under Section 138 of the Negotiable Instruments Act and to undergo 02 years rigorous imprisonment and was also ordered to pay compensation to the tune of cheque amount of Rs.30,00,000/- with interest @ 9% p.a. from the date of cheque till date. He submits that feeling aggrieved, respondent No.2 filed an appeal dated 03.01.2024 before the learned Additional Sessions Judge, Hoshiarpur along with suspension of sentence. Learned Additional Sessions Judge, Hoshiarpur while deciding the suspension of sentence application, directed the respondent No.2 to pay 10% of compensation



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amount along with other conditions. He submits that however, respondent No.2 did not comply with the aforesaid conditions. He further submits that accordingly thereafter, the petitioner moved an application before the learned Additional Sessions Judge, Hoshiarpur on 28.10.2024 for cancellation of surety bonds and bail of respondent No.2 and to vacate the order dated 03.01.2024. He submits that the matter is being adjourned by the learned Additional Sessions Judge, Hoshiarpur on one pretext or the other. Learned counsel for the petitioner accordingly, prays that directions be given to the learned Additional Sessions Judge, Hoshiarpur to decide his application dated 28.10.2024 expeditiously.

Heard.

Since the application in question is pending adjudication before the learned Additional Sessions Judge, Hoshiarpur since the year 2024 and speedy trial is a fundamental right as enshrined under Article 21 of the Constitution of India, it would be in the interest of justice if the learned Additional Sessions Judge, Hoshiarpur is directed to decide the said application expeditiously.

Accordingly, the present petition is disposed of with a direction to the learned Additional Sessions Judge, Hoshiarpur to make earnest endeavour to decide the application dated 28.10.2024 expeditiously, strictly as per law.

Disposed of accordingly.

(RUPINDERJIT CHAHAL)
JUDGE

15.05.2026

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- i) Whether speaking/reasoned?
- ii) Whether reportable?

Yes/No
Yes/No