

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

243

Criminal Misc. M- No. 29473 of 2014 (O&M)

Date of decision : 09.02.2015

Singh Ram

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. J.S. Cooner, Advocate
for the petitioner.

Mr. Pawan Girdhar, Addl. AG, Haryana

LISA GILL, J.

This petition has been filed for setting aside order dated 21.04.2014 passed by learned Additional Sessions Judge, Panchkula wherein surety bond submitted by the petitioner on behalf of the accused Aslam has been forfeited as well as order dated 28.04.2014 vide which penalty of ₹ 50,000/- has been imposed and directed to be recovered as arrears of land revenue.

The petitioner had stood surety for one Aslam, who is an accused in FIR No. 18 dated 01.03.2011 registered under Sections 323, 353, 307 IPC; under Section 3 PDPP Act, 1984; under Section 4B/8 of Punjab Cow Slaughter Act, 1955 and under Section 11, 59, 60 of Prevention of Cruelty to Animals Act, 1960 registered at Police Station Raipur Rani, District Panchkula.

Surety bond for a sum of ₹ 25,000/- has been executed by the petitioner on 16.07.2011. Said Aslam had absented himself and in that event the trial Court on 21.04.2014 while issuing warrants

of arrest against Aslam, had forfeited surety bond submitted by the petitioner. On 28.04.2014 (Annexure P-2), the District Collector, Ambala was directed to recover a sum of ₹ 50,000/- from the petitioner.

On 16.10.2014 at the time of issuance of notice of motion, it had been submitted that without addressing on the merits of the case, a sum of ₹ 50,000/- of the penalty be reduced as the accused Aslam was arrested and thereafter has been convicted as well.

It is confirmed by learned counsel for the State that the said accused Aslam was indeed arrested and thereafter has been convicted in FIR No. 18 dated 01.03.2011.

Keeping in view the facts and circumstances, it would be in the interest of justice to reduce the amount of penalty from ₹ 50,000/- to ₹ 25,000/-.

With the aforementioned modification in order dated 28.04.2014, this petition is disposed of.

February 09, 2015
rts

(LISA GILL)
JUDGE