

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-33191 of 2015 (O&M)
Date of Decision: September 28, 2015

Swaran Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.H.S.Gharuan, Advocate
 for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of impugned order dated 03.10.2013 passed by learned Chief Judicial Magistrate, Ropar, vide which fine of ₹50,000/- has been imposed upon the surety/petitioner under Section 466 Cr.P.C. and also the judgment dated 05.08.2015 passed by learned Addl. Sessions Judge, Rupnagar, vide which the revision filed by the petitioner was dismissed.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that in the present case, the petitioner stood surety for accused Harchand Singh Namberdar for ₹50,000/-. It is admitted fact that accused absented from the proceedings on 11.02.2013 and till now neither he surrendered before

the Court nor present petitioner produced him in the Court. It is also stated that Harchand Singh Namberdar has been declared proclaimed offender in this case.

Admittedly, the petitioner stood surety for the presence of the accused and in this regard, he furnished surety bonds in the sum of ₹50,000/-. However, when he failed to produce the accused in the Court, then learned CJM, Rupnagar has correctly imposed the penalty. No reasonable grounds are made out for reducing this amount. Furthermore, the petitioner has already availed the remedy by way of revision, which has already been dismissed by learned Addl. Sessions Judge, Rupnagar vide judgment dated 05.08.2015.

Nothing has been pointed out as to how the order and judgment passed by the Courts below are illegal or against the law. Nothing has been pointed out as to how the order and judgment passed by the Courts below amount to miscarriage of justice.

Therefore, finding no merit in the present petition, the same is dismissed.

September 28, 2015
Vgulati

(INDERJIT SINGH)
JUDGE