

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-5876 of 2016

.....

Date of decision:2.9.2016

Dharambir and another

.....Petitioners

v.

State of Haryana and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Surinder Gandhi, Advocate for the petitioners.

Mr. B.S. Virk, Deputy Advocate General, Haryana
for the respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing the impugned order dated 13.11.2015 (Annexure-P.1) passed by District Magistrate, Rohtak (respondent No.2) or any other relief which the Hon'ble Court may deem fit and proper as per facts and circumstances of the case be granted in favour of the petitioners.

Notice of motion has been issued in this case.

Mr. B.S. Virk, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners and learned Deputy Advocate General, Haryana and have gone through the record.

Learned counsel for the petitioners argued that in view of the

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interim order dated 18.2.2016 passed by this Court, both the petitioners have already deposited ₹50,000/- each of the penalty amount. Learned counsel for the petitioners also argued that the convict, who had jumped over the parole, has already been arrested in another case and is in custody now.

The learned State counsel argued that the convict in this case, qua whom the petitioners stood surety, had jumped the parole for 265 days.

From the record, I find that the District Magistrate, Rohtak, has imposed penalty of Rs.1 Lac each on the petitioners, who were sureties of the convict for his release on parole.

Keeping in view the facts and circumstances of the present case and the fact that the convict has already been arrested the penalty imposed upon the petitioner is reduced to ₹50,000/- each which is stated to have already been paid.

With this modification in the amount of penalty, the petition is disposed of accordingly.

September 2, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No