

CRA-S No.2621-SB of 2017 (O&M)
Date of decision: August 31, 2017

Ram Kumar and another

....Appellants

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. R.S. Malik, Advocate
for the appellants.

Mr. D.R. Singla, DAG, Haryana.

SUDIP AHLUWALIA, J.(ORAL)

CRM No.22539 of 2017

Heard both sides.

In view of the grounds made out in the application, delay of 365 days in filing the appeal is condoned.

Application stands disposed off accordingly.

CRA-S No.2621-SB of 2017

In this appeal, the appellants have challenged the order passed by the Ld. District Magistrate, Sonapat, under Section 446 of Cr.P.C. Both of them had stood sureties for an amount of Rs.2.00 lac each on behalf of convict-Satish @ Sita, who had been awarded punishment of life imprisonment, on parole. But after being so released, the convict did not surrender. Consequently, the Ld. District Magistrate passed the impugned order by virtue of which the entire amount of security was directed to be fortified and deposited.

The contention of Ld. counsel for the appellants is that they are poor agriculturists and not in a position to pay up the huge amount at this stage. It is further submitted that in any case the convict was subsequently arrested and is now again in jail. Ld. counsel for the appellants further submits that they have once burned their fingers with such conduct of the convict and shall never again stand sureties for him, nor any member of their family would do so.

In view of the aforesaid submissions, this Court is inclined to take a sympathetic view of the appellants' situation.

As such, the forfeiture amount of Rs.2.00 lac each, as directed against them, is ordered to be reduced by 50% each, which they shall deposit in the Treasury within 60 days from the date of this order.

Disposed off.

August 31, 2017
m. sharma

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No