

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRA-S-3708-SB of 2017 (O&M)

DATE OF DECISION :- November 29, 2017

Chiman Singh

...Appellant

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Ms. Ruchi Sekhri, Advocate for the petitioner.

Ms. Samina Dhir, Deputy Advocate General, Punjab.

The appellant has approached this Court challenging order dated 5.12.2015 passed by Additional Sessions Judge, Moga vide which penalty of Rs.1 lac has been imposed upon the appellant in proceedings initiated against him under Section 446 Cr.P.C. The appeal has been filed belatedly. An Application under Section 5 of the Limitation Act for condonation of delay has been moved. Notice of that application and appeal has been given to the State

Learned counsel for the appellant has stated that appellant is a poor person and is not in a position to pay a sum of Rs. 1 lac. All these facts should be brought to the notice of the Court concerned while praying for grant of taking a lenient view. Learned counsel for the appellant submits that she be permitted to withdraw the appeal with liberty to take all these pleas in the trial Court.

The prayer is allowed. The appellant may take such pleas

before the trial Court and it is trusted that the trial Court would take a lenient view in the matter keeping in view the financial position of the appellant and may grant necessary relief as far as imposition of penalty is concerned after giving him necessary hearing.

Dismissed as withdraw with liberty aforesaid.

(H.S. MADAAN)
JUDGE

November 29, 2017

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No