

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

CRM No.M-21547 of 2014 (O&M)
Date of Decision: February 07, 2017

Manisha

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.D.K.Tuteja, Advocate
for the petitioner.

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

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. (though it should be an appeal) for quashing the order dated 25.11.2013 passed by learned Special Judge, Rohtak, vide which a sum of ₹50,000/- has been imposed as penalty upon the petitioner being surety of the accused.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

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

At the time of arguments, learned counsel for the petitioner prayed for reduction of the penalty amount on the ground that the accused absented on 06.08.2013 and his non-bailable warrants were issued and

surety bonds and bail bonds were cancelled. Learned counsel for the petitioner further argued that learned Special Judge, Rohtak, vide order dated 25.11.2013, imposed the penalty of ₹50,000/- as present petitioner did not appear before the trial court. He next argued that the copy of the order dated 10.12.2013 (Annexure P-3) shows that application was filed for issuance of production warrant of accused Naveen, who was in the District Jail, Jhajjar and Superintendent Jail was directed to produce the accused in the Court.

Keeping in view the facts of the case that accused was in the jail in another case when he absented from the proceedings and was arrested in this case after issuance of production warrants within four months and in view of the fact that present petitioner is a poor lady, the penalty of ₹50,000/- imposed upon the petitioner is reduced and she is directed to deposit ₹25,000/- within one month from today. If the amount is not deposited within one month, then the present petition will be treated as dismissed.

Resultantly, present petition stands allowed accordingly.

February 07, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No