

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

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**CRM-M No.43698 of 2016
Date of Decision:10.04.2017**

Nand Kishore and another

....petitioners

Versus

State of Haryana

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: None for the petitioners

ARUN PALLI, J. (ORAL):

This is a petition under Section 482 of the Code of Criminal Procedure, for quashing the letter dated 08.06.2015 (Annexure P2), vide which the District Magistrate, Gurgaon, had required the petitioners to show cause, as to why the surety bonds that were furnished by them be not forfeited.

Kaushal son of Nand Kishore, was undergoing a sentence in case FIR No.1108 dated 18.12.2006, registered under Sections 148, 149, 307,302, 353 IPC, and, Section 25 of the Arms Act, registered at Police Station Sadar Gurgaon. He was released on parole for a period of six weeks, subject to his furnishing surety bonds. The petitioners furnished the surety bonds that were accepted by the Executive Magistrate, on 10.04.2015. However, despite the expiry of the period of six weeks, the accused failed to surrender himself to undergo the balance sentence. Accordingly, the petitioners were served with a notice and required to show cause as to why the bonds furnished by them, be not forfeited, in favour of the State.

Records show that the matter is pending since July 2015,

and has consecutively been adjourned for the past three dates, on the request of learned counsel for the petitioners. Today, the matter was passed over in the first round and even on the second call, no one is present to pursue the matter. That being so, the Court is choiceless but to dismiss the petition for non-prosecution.

Ordered accordingly.

April 10, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No