

CRM-M-49232 of 2017

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

CRM-M-49232 of 2017
Date of Decision: 21.12.2017

Amit Nayyar and others

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Arjun Veer Sharma, Advocate, for the petitioners.

RAMENDRA JAIN, J. (ORAL)

In the instant petition under Section 482 Cr.P.C. challenge has been laid to order dated 28.10.2017 (Annexure P-6) of learned Additional Special Judge, Ludhiana, dismissing the application for reimbursement of ₹ 1,36,202/- to the petitioners, deposited by their deceased father pursuant to order dated 17.09.2014 passed by this Court in CRM-M-32116 of 2014 granting him interim relief of bail in case FIR No.3 dated 18.01.2011 registered under Section 135 of the Electricity Act, 2003 at Police Station Anti Power Theft, Ludhiana, who was finally acquitted in the said case vide judgment dated 28.04.2016 by learned Judge Special Court, Ludhiana.

Since the aforesaid amount of ₹ 1,36,202/- was deposited towards 50% of the penalty amount for which deceased father of the petitioners has been acquitted, therefore, the said amount is liable to be reimbursed to the petitioners being legal heirs of deceased Anil Kumar. Therefore, learned Judge Special Court, Ludhiana, is directed to refund the aforesaid amount to

the petitioners against proper receipt and identification in accordance with law and after obtaining their affidavits that there is no other legal heir of

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deceased Anil Kumar except them and, in case, any other person would claim himself/herself to be as such, he would indemnify his claim.

Disposed of accordingly.

December 21, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No