

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CWP No.13022 of 2017

Date of decision: November 17, 2017

Wazir and another

...Petitioners

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Manoj Chahal, Advocate for the petitioners.
Mr. Rohit Arya, AAG, Haryana.

Rajan Gupta, J.(oral)

Petitioners seek a writ in the nature of certiorari for quashing impugned order, whereby the Deputy Commissioner, Bhiwani initiated proceedings for attachment of his land as he stood surety in the sum of Rs.2.00 lacs each for the convicts at the time they were enlarged on parole. Admittedly, convict has been arrested and is lodged in District Jail, Bhiwani. Limited plea before this court is for reduction in the amount of penalty. Reliance has been placed on judgment reported as *Dalvir vs. State of Haryana, 2013 (5) R.C.R. (Criminal) 787*, to contend that the amount sought to be recovered from the petitioners by the Deputy Commissioner, be reduced as the order is harsh.

This court finds substance in this plea. The impugned order is accordingly modified. The authority would not proceed with attachment of the property. Instead the amount already deposited by the petitioner would stand forfeited.

Petition is accordingly partly allowed.

(RAJAN GUPTA)
JUDGE

November 17, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No