

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33473-2018 (O&M)

Date of Decision:- 6.8.2018

Sonu @ Ram Bahadur

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Matya, Advocate, for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

By way of filing this petition, the petitioner assails order dated 19.7.2018 passed by learned Sessions Judge, Gurugram whereby his application for extension of time to furnish bail bonds has been declined and an order had been issued to arrest the convict and commit him to jail to undergo the sentence awarded.

Notice of motion.

Upon request made by this Court, Mr. Sandeep Vashisht, D.A.G. Haryana accepts notice on behalf of the respondent.

I have heard the learned counsel for the petitioner and learned State counsel.

A few facts necessary to notice for disposal of this petition are that the petitioner had been found guilty for committing offence under Section 304-A and 279 IPC vide judgment dated 4.5.2018 and also order

pertaining to sentence passed on 7.5.2018 passed by learned Judicial Magistrate 1st Class, Gurugram.

The learned trial Court in order to enable the petitioner to file appeal had suspended the sentence. The learned Sessions Judge, Gurugram vide order dated 2.6.2018 extended the bail for 15 days on the same terms and conditions or till furnishing of bail bonds whichever is earlier while directing the trial court to send proceedings of the acceptance of bail bonds. However, it appears that the petitioner did not furnish bail bonds within the stipulated period and subsequently sought extension of time which was declined by the learned lower Appellate Court vide impugned order dated 19.7.2018.

The learned counsel for the petitioner has submitted that the petitioner and his counsel remained under a wrong impression and were not clear as to before whom the bail bonds had to be furnished due to which the same could not be furnished in time.

Having heard the learned counsel for the petitioner, while the conduct of the petitioner cannot be approved but bearing in mind the nature of offences, a lenient view is taken and the petitioner is directed to surrender before the lower Appellate Court on 8.8.2018 and the lower Appellate Court shall release him on bail subject to his furnishing bail bonds/surety bonds to its satisfaction. The lower Appellate Court may impose any other condition deemed fit to ensure presence of the petitioner.

The aforesaid order is being passed subject to the condition that the petitioner shall pay an amount of ₹20,000/- towards compensation to

LRs of the deceased. Further, till 8.8.2018 no coercive steps be taken for effecting arrest of the petitioner.

In view of the above, the present petition stands disposed of.

August 6, 2018
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(Gurvinder Singh Gill)
Judge

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