

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

CRR No.3052 of 2015 (O&M)
Date of Decision: January 29, 2018

Lakha Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE A.B.CHAUDHARI
HON'BLE MR. JUSTICE INDERJIT SINGH

Present: None for the petitioner.

Mr.H.S.Sullar, Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

CRM No.26985 of 2015

Heard.

For the reasons mentioned in the application, the same is
allowed. Delay of 21 days in filing the revision petition, is condoned.

CRR No.3052 of 2015

The present revision has been filed by the petitioner Lakha Singh against respondent State of Punjab, challenging the impugned order dated 13.09.2013 passed by learned District Magistrate, Kapurthala, vide which surety of ₹50,000/-given by the petitioner for releasing convict Kulwinder Singh @ Noni on parole, was ordered to be forfeited as per

Sessions Judge, Kapurthala, vide which appeal filed by the petitioner was disposed of and the order dated 13.09.2013 was modified and petitioner was directed to deposit an amount of ₹20,000/- and remaining amount of ₹30,000/- was ordered to be treated as remitted.

Aggrieved from the above-said order and judgment, present revision petition has been filed.

None has appeared on behalf of the petitioner today. We ourselves have gone through the record.

From the record, we find that the petitioner stood surety for convict Kulwinder Singh @ Noni for an amount of ₹50,000/- for grant of parole of four weeks to the convict and it was ordered that in case the convict would not come in time in jail and violate the terms and conditions of parole, then the surety amount of ₹50,000/- would be forfeited without any objection. Superintendent Central Jail, Kapurthala, vide his office letter dated 22.06.2012 informed the District Magistrate that the convict did not come present after completing the parole period. Therefore, learned District Magistrate, Kapurthala, vide impugned order dated 13.09.2013 ordered that amount of ₹50,000/- given by the petitioner as a surety be forfeited as per Section 446 Cr.P.C. An appeal was filed by the petitioner and learned Sessions Judge, Kapurthala, disposed of the same by reducing the surety amount to ₹20,000/-.

We have gone through the order and judgment passed by both the Courts below. No illegality has been committed by the Courts below while imposing and modifying the surety amount. As learned Sessions Judge, Kapurthala, has already modified the order and reduced the surety

amount to ₹20,000/-, therefore, no ground is made for further reducing the

surety amount.

Therefore, finding no merit in the present petition, the same is dismissed.

(A.B.CHAUDHARI)
JUDGE

(INDERJIT SINGH)
JUDGE

January 29, 2018
Vgulati

Whether speaking/reasoned
Whether reportable

Yes
No