

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

(215)

**CRR-4287-2015 (O&M)
Decided on: April 25, 2018.**

Devender @ Nanha

.... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI
HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. Anil Kumar Malik, Advocate, for the petitioner.

Mr. S.S. Pannu, DAG, Haryana.

M.M.S. BEDI, J (ORAL)

CRM-36694-2015

The miscellaneous application is allowed.

Delay of 460 days in filing the appeal is condoned.

CRR-4287-2015

The petitioner did not surrender in the Central Jail, Hisar on expiry of period of six weeks parole on 16.06.2011 as he was arrested in another criminal case i.e. FIR No.318 dated 25.05.2011 registered at Police Station Bhadra, Rajasthan and was confined in Central Jail, Bikaner on the relevant date.

On account of violation of the terms of the bail bonds, a sum of Rs.2 lacs has been ordered to be forfeited being the amount of the bail bond. Sureties Dinesh Kumar and Ranbir Singh have also been imposed the same penalty.

We have considered the circumstances in which the petitioner could not surrender on expiry of period of parole.

It is not disputed that on account of petitioner having been taken in custody for having been involved in a criminal case in Rajasthan, he was unable to surrender but he was subsequently transferred in custody to Central Jail, Hisar.

In above circumstances, the penalty imposed can be reduced as the petitioner has not made any attempt to intimate the concerned authorities. It is debatable whether his wife had actually informed regarding his custody being with Central Jail Bikaner when he was required to surrender before Central Jail, Hisar.

Be that as it may, in the interest of justice, the quantum of penalty is reduced from Rs. 2 lacs to Rs.25,000/-.

The amount be deposited within a period of one month.

The revision petition is disposed of.

Miscellaneous application i.e. CRM-36695-2015 is also disposed of.

(M.M.S. BEDI)
JUDGE

April 25, 2018.
harsha

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No