

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

**CRM-M-15455-2017(O&M)
Date of Order: 29.08.2019**

Suraj Bhan

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Balraj Singh, Advocate, for the petitioner.
Mr. Manish Bansal, DAG, Haryana

ANIL KSHETARPAL, J(Oral)

Petitioner stood surety while accused under the Electricity Act was granted bail. Thereafter, accused jumped the bail and, hence, proceedings under Section 446 Cr.P.C were initiated against the petitioner and penalty of Rs.50,000/- was imposed.

The aforesaid order has been assailed by way of this petition.

On 04.05.2017, taking into consideration the facts of the case, operation of the impugned order was stayed till the next date of hearing, subject to deposit of 50% of the penalty amount, within 4 weeks. It has been informed by learned counsel for the petitioner that the aforesaid amount has been deposited.

Counsel for the petitioner submits that the petitioner is a poor person and had bonafidely stood surety. He claims that he and his wife are illiterate, working as labourer, belonging to Scheduled Castes family holding yellow ration card which has been issued by the government to those families living below poverty line.

Keeping in view the aforesaid fact, this court is of the considered opinion that the penalty as order by the learned Additional

Sessions Judge, Kurukshetra, vide order dated 20.02.2016 is excessive.

Consequently, the same is reduced to Rs.25,000/- which has already been deposited by the petitioner.

Disposed of accordingly.

August 29, 2019
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(ANIL KSHETARPAL)
JUDGE

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