

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

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**CRA-S-1715-2019(O&M)
Date of Order: 26.09.2019**

Tarwinder Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gurmeet Singh, Advocate, for the appellant
Mr. Bhupender Beniwal, AAG, Punjab

ANIL KSHETARPAL, J(Oral)

Appellant had executed surety bonds of Rs.1,00,000/-, while releasing Manjit Singh on bail. Manjit Singh did not appear before the Court and, hence, bail bonds and surety bonds were forfeited.

Learned counsel for the State, on instructions from ASI Anil Kumar, admits that Manjit Singh was confined to prison in Chandigarh and subsequently arrested on 18.01.2018.

Learned counsel for the appellant prays that the order passed by the Court ordering recovery of Rs.1,00,000/- i.e. surety bond amount and subsequent order passed by the District Collector for auctioning his immovable property be set aside. He submits that the appellant is ready to deposit a sum of Rs.60,000/-. There are no allegations that the appellant connived or had played any active role.

On the other hand, learned counsel for the State does not have any serious objection to the offer made particularly when Manjit Singh has already been arrested.

Keeping in view the aforesaid facts, order dated 10.11.2017 passed by the learned Additional Sessions Judge, Hoshiarpur is modified. The penalty of Rs.1,00,000/- is reduced to Rs.60,000/- as offered by learned counsel for the appellant.

Consequently, the order of auction of the property would also become ineffective.

Learned counsel for the appellant has handed over a Demand Draft of Rs.60,000/- (No.154107, Branch Sr. No. of Demand Draft 814113001142, dated 24.09.2019) to learned counsel for the State in Court, which has further been handed over by learned counsel for the State to ASI Anil Kumar, Investigating Officer, who shall deposit the same with the office of District Collector, Hoshiarpur, within one week against proper receipt.

Disposed of accordingly.

CRM-18481-2019

Exemption allowed as prayed for.

Annexures A-1 to A-6 are taken on record.

CRM-18482-2019

For reasons mentioned in the application, delay of 500 days in filing the appeal is condoned.

September 26, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No