

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

228

**CRR-2404-2019 (O&M)
Date of Decision : 01.10.2019**

Krishana Devi and another

... Petitioners

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Nitin Rathour, Advocate for the petitioners.

Ms. Tanisha Peshawaria, DAG, Haryana.

AJAY TEWARI J. (ORAL)

This revision petition has arisen out of the judgment dated 05.09.2019 passed by the Additional Sessions Judge, Yamuna Nagar at Jagadhri, vide which the appeal filed by the petitioner, challenging the order dated 03.04.2019, passed by the Deputy Commissioner-cum-District Magistrate, Yamuna Nagar was dismissed on the ground of limitation.

Brief facts are that the petitioners had stood surety for one Anil Kumar @ Leela for the amount of Rs. 1 Lakh each. That person jumped his bail and that is why forfeiture of security amount was ordered. Learned counsel for the petitioners has prayed that the said person was subsequently arrested and therefore, no prejudice was caused to the State and consequently, the order directing recovery of surety amount should be set

aside.

On the other hand, learned Deputy Advocate General has argued that this is not a case where the petitioners had produced the person who had jumped his bail. That person was arrested and consequently there is no justification for setting aside the order of recovery of surety amount.

In these circumstances, we find no reason to set aside the order dated 05.09.2019 passed by the Additional Sessions Judge, Yamuna Nagar at Jagadhri. We find that in the case of *Jaswant Singh Versus State of Punjab*, 2015(5) Law Herald 4422, the court had reduced the penalty amount.

Keeping in view the facts and circumstances of the present case, we deem it appropriate to reduce the amount of surety to Rs.40,000/- each.

With the above observation, CRR stands disposed of.

Since the main case is decided pending CRM if any, stands disposed of.

(AJAY TEWARI)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

01.10.2019
pooja saini

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No