

Crl. Misc. No. M-48504 of 2019

Date of Decision: December 17, 2019

Ronald Krischian

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Varun Sharma, Advocate
for the petitioner

Mr. Parveen Kumar Aggarwal, DAG Haryana

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Sudhir Mittal, J. (Oral)

The petitioner has challenged order dated 20.09.2019 (Annexure P-3) whereby his application to furnish cash security has been declined.

An FIR No. 201 dated 06.04.2019 was registered at Police Station City Hansi, District Hisar under Section 21(b) and 27A of the NDPS Act, 1985 on account of recovery of 15 grams of Heroin from co-accused Anil. Said co-accused suffered a disclosure statement leading to arrest of one Aditya, who further suffered a statement leading to arrest of the petitioner. He was granted bail vide order dated 04.06.2019 on furnishing bail bonds in the sum of Rs. 1,00,000/- with two sureties in the like amount and further subject to deposit of his passport. Thereafter, the petitioner moved an application dated 20.09.2019 with a prayer to accept surety in cash. The said application has been rejected on the ground that the applicant had not deposited his passport.

Learned counsel for the petitioner submits that being a foreign national the petitioner is not in a position to furnish local surety and, thus, he may

be permitted to furnish surety in cash. His family has arranged Rs. 2 lacs in cash for this purpose and the passport would also be deposited alongwith the bail bonds and surety.

Learned State counsel has no objection in case the surety is furnished in cash so long as passport is deposited.

Vide order dated 04.06.2019, learned Additional Sessions Judge, Hisar had granted bail to the petitioner on furnishing bail bonds in the sum of Rs. 1,00,000/- with two sureties in the like amount and had also directed the deposit of his passport. The petitioner is a foreign national and, thus, his difficulty in furnishing a local surety is genuine. Accordingly, it is directed that the petitioner be released on bail on his furnishing bail bonds in the sum of Rs. 1,00,000/- and on furnishing of cash surety in the sum of Rs. 2,00,000/- and further subject to deposit of his passport.

The petition stands disposed of.

December 17, 2019

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No