

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

CRM-M-53994 of 2019

Date of decision: 17.12.2019

Sucha Singh

....Petitioners

Versus

State of Punjab and Anr.

....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. R.S. Sekhon, Advocate for the petitioners.

HARINDER SINGH SIDHU, J.

Challenge in this petition has been directed against order dated 31.10.2019 passed by learned Addl. Sessions Judge, Ferozepur dismissing the application of the petitioner for grant of extension of time for furnishing bail bonds and surety bonds as per order dated 10.06.2019.

Vide judgment and order of sentence dated 16.5.2019 passed by learned JMIC, Ferozepur, the petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo RI for one year. He was released on interim bail for thirty days to enable him to file an appeal. The petitioner preferred an appeal and vide order dated 10.6.2019, the execution of the sentence imposed upon him was directed to remain suspended till the disposal of the appeal subject to his furnishing personal bond in the sum of Rs.25,000/- with one surety of the like amount with an undertaking not to leave the country without the prior permission of the Court to the satisfaction of the trial Court/Duty Magistrate within the period of 15 days from that day. However, the petitioner failed to furnish bail bonds and surety bonds by the alleged date. Thereafter, he filed

application dated 11.9.2019 for extension of time to furnish bail and surety bonds before the learned trial Court, which has been dismissed vide the order impugned and his presence has been directed to be secured through NBWs.

Learned counsel for the petitioner states that the petitioner did not furnish bail bonds and surety bonds as directed as his counsel failed to inform the petitioner of the same. He undertakes that the petitioner will now furnish the bail bonds and surety bonds within a period of two weeks from today.

Accordingly, the petition is allowed and order dated 31.10.2019 passed by learned Addl. Sessions Judge, Ferozepur is set aside. Petitioner is permitted to furnish bail bonds and surety bonds within a period of two weeks from today in terms of order dated 10.6.2019. Till then, non-bailable warrants issued against the petitioner may not be executed.

This shall however be subject to payment of Rs.2000/- as costs to be deposited by the petitioner with the District Legal Services Authority, Ferozepur.

December 17, 2019
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No