

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M- 35916 of 2020

Date of Decision: 09.11.2020

Devender Adhana

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Kunal Dawar, Advocate
for the petitioner(s).

Mr. Samarth Sagar, Additional Advocate
General, Haryana for the respondent.

Anil Kshetarpal, J.

The petitioner filed Criminal Misc. No. M-27541 of 2019, for seeking permission to furnish common/combined surety and personal bonds in all the 33 FIRs, detail whereof was given in the list attached as Annexure P1 to aforesaid miscellaneous petition. The aforesaid petition was allowed on 12.07.2019, with the following order:

“Petitioner prays for permission to furnish common/combined surety and common personal bond in all the 33 FIRs, details whereof have been given in Annexure P-1.

It is the case of the petitioner that he has been granted regular bail in all these cases, however, he is required to furnish separate sureties in all these cases. He has further submitted that since the petitioner is a poor person and does not have wherewithal to arrange for separate sureties in all these cases. He has further submitted that the petitioner was an

only employee in one of the company in SRS Group (Group of companies) and he has been shown Director, although, he does not have any substantial share holding. He further submits that the petitioner is in custody since 05.04.2018.

Status report by way of affidavit of Commissioner of Police, Faridabad, has been filed in Court today, which is taken on record. In the Status report, it has been pointed out that petitioner is not owner of any immovable property and 3 bank accounts in the name of the petitioner does not have any significant balance. It has further been disclosed that father of the petitioner is owner of merely 4 kanals of land in ancestral village which also falls within the jurisdiction of Faridabad.

Keeping in view the aforesaid facts, it is directed that father of the petitioner, who is owner of 4 kanals of land would be permitted to give common surety in all these cases and the petitioner would give independent personal bond.

Once the aforesaid two conditions are satisfied, the Court would release the petitioner on bail as ordered by the Courts, subject to the fact that he is not involved in any other case.

With the aforesaid directions, the present petition is disposed of.”

Learned counsel for the petitioner contends that apart from those 33 cases, there were four more FIRs against the petitioner in which he was granted bail and he has already furnished surety. He submits that when the

petitioner applied for accepting the common surety and personal bonds in 33 cases, which were part of the list (Annexure P1), the trial court did not accept the same.

Mr. Samarth Sagar, Additional Advocate General, Haryana, has appeared pursuant to supply of advance copy of the petition and submits that the respondent-State has no objection if the trial Court is directed to accept the common surety and personal bonds, as ordered by this Court vide order dated 12.07.2019.

Keeping in view the aforesaid facts, the trial Court is directed to accept the common/combined surety and personal bonds in all the 33 criminal cases arising from various FIRs, details whereof have already been given in the list (Annexure P1). Mr. Kunal Dawar, Advocate, has informed the Court that the petitioner has been granted bails and separate bail bond with surety bonds in four more criminal cases i.e. FIR No. 200 dated 17.05.2019, FIR No. 260 dated 21.04.2018, FIR No. 51 dated 17.02.2019 and FIR No. 231, have not only been furnished but already accepted by the Court

In view of the above, the present petition is disposed of.

(Anil Kshetarpal)
Judge

November 09, 2020

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No