

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-55349-2019 (O&M)

Date of Decision:- 16.1.2020

Jaswant Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Riffi Birla, Advocate, for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. Respondent No.2-Geja Singh had been convicted by Special Court, Fazilka, vide judgment dated 17.12.2018 for having committed an offence under Section 15 of NDPS Act and was sentenced to undergo rigorous imprisonment for 1 year. However, upon an appeal having been filed by said Geja Singh i.e. CRA-S-61-2019, the same was admitted and the substantive sentence of imprisonment was ordered to be suspended during the pendency of the appeal subject to the appellant-Geja Singh (respondent No.2) furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate, concerned. Pursuant thereto the petitioner is stated to have furnished surety bonds.
2. By way of filing this petition petitioner-Jaswant Singh seeks permission to withdraw the surety bonds which he had furnished at

the time of suspension of sentence of Geja Singh. Notice of the petition was issued to the respondents.

3. Today Ms. Jaspreet Kaur, Advocate has appeared on behalf of respondent No.2 and filed power of attorney. The same is taken on record. Learned counsel for respondent No.2 has fairly submitted that respondent No.2 cannot possibly have any objection for withdrawal of the surety bonds as had been earlier furnished by the petitioner but has requested that a period of 15 days may be afforded to respondent No.2 to arrange for some alternate surety.
4. Learned State counsel has no objection for the aforesaid arrangement.
5. In view of the aforesaid submission, the petition is hereby accepted and the petitioner is permitted to withdraw his surety bonds. He may move an appropriate application in this regard before the Court where surety bonds had been furnished any time after 31.1.2020. In the meantime respondent No.2-Geja Singh would be at liberty to furnish fresh surety bonds which shall be examined and accepted by the Court concerned in accordance with law.
6. The petition stands accepted in above mentioned terms.

January 16, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No