

\$~7

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 327/2020**

JAI PRAKASH Petitioner
Through Mr. Dushyant Sisodiya, Adv.

versus

STATE & ORS Respondents
Through Mr. Izhar Ahmed, APP for State

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER
% **19.02.2020**

CRL.M.A. 1404/2020

Allowed, subject to all just exceptions.

Application is disposed of.

CRL.M.C. 327/2020 & CRL.M.A. 1403/2020

Vide the present petition, petitioner seeks direction thereby to set aside or modify impugned order dated 16.12.2019, passed by Ld. M.M., Patiala House Courts, New Delhi in Criminal Complaint No. 1284/2018 and also to reduce the penalty under surety bond from an exorbitant amount of Rs.4,00,000/- to Rs. 1,00,000/- even after its reduction vide said order from Rs.8,00,000/- to Rs.4,00,000/-.

Trial Court has considered the bonafide efforts of petitioner in tracing the whereabouts of accused No.2 as well as his financial condition and come

to the opinion that imposition of penalty of surety amount of Rs.2,00,000/- and Rs.8,00,000/- would be too harsh upon him. Accordingly, Trial Court has reduced the half of the amounts of the surety bond.

Counsel appearing on behalf of petitioner submits that petitioner is working as Class IV employee in Delhi Jal Board and has two college going children and also dependant parents.

Accordingly, keeping in view of the aforesaid facts and efforts made by petitioner for tracing the accused No.2, I hereby further reduce the penalty imposed upon him to the tune of ₹1 lac.

Accordingly, order dated 16.12.2019 is modified.

In view of above, the petition is allowed and disposed of.

SURESH KUMAR KAIT, J

FEBRUARY 19, 2020

ms