

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

120

CRM-M-3932-2021 (O&M).

Date of Decision: 29.01.2021.

Manish Kumar

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Sandeep Punchhi, Advocate for petitioner.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

CRM-2110-2021

Allowed, as prayed for.

CRM-M-3932-2021

This petition under Section 482 Cr.P.C. is for modification of conditions of furnishing personal bond of Rs.1,00,000/- with two local sureties in the like amount for bail as imposed by learned Additional Sessions Judge, Sirsa, vide order dated 24.11.2020 (Annexure P/2) and for waiving of the condition of two local sureties in the like amount for releasing the petitioner on bail.

Notice of motion.

At the asking of Court, Mr. Vikrant Pamboo, Deputy Advocate General, Haryana, accepts notice on behalf of respondent-State. Complete copy of paperbook has been supplied to him.

Learned counsel for the petitioner at the very outset submits that petitioner is ready to furnish personal bond in the sum of Rs.1,00,000/- by depositing Rs.1,00,000/- (Rupees one Lakh) cash in the Court concerned as he is not having two local sureties as ordered by the Trial Court and prays for modification of order dated 24.11.2020 (Annexure P/2) accordingly.

Learned State counsel has given concurrence to the above submissions of learned counsel for the petitioner.

For ready reference, Section 440 Cr.P.C. is reproduced hereunder:-

“Section 440 Cr.P.C.-Amount of bond and reduction thereof.

(1) The amount of every bond executed under this Chapter shall be fixed with due regard to the circumstances of the case and shall not be excessive.

(2) The High Court or Court of Session may direct that the bail required by a police officer or Magistrate be reduced.”

In view of above, instant petition is disposed of with modification in the order dated 24.11.2020 (Annexure P/2) only to the extent that the petitioner would furnish personal bond in the sum of Rs.1,00,000/- and that too by depositing Rs.1,00,000/- in cash with the Court concerned. The condition imposing furnishing of two local sureties by the petitioner vide impugned order is quashed.

(LALIT BATRA)
JUDGE

29.01.2021

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No