

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

Sr. No.122

**CWP-9897-2021 (O&M)
Date of decision : 12.10.2021**

Radheshyam

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. A.S. Samra, Advocate, for the petitioner.

Mr. R.K.S. Brar, Addl. AG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner stood surety for a murder convict. The said convict absconded and accordingly, notice was issued to the petitioner for forfeiture of security. Since, the notice was not complied with, the security amount is sought to be recovered by way of arrears of land revenue.

Learned counsel for the petitioner submits that the convict concerned was arrested two months after he absconded on information provided by the petitioner. The convict has also passed away, meanwhile, in a road accident. Thus, the order of recovery of surety amount by way of arrears of land revenue is illegal.

The argument cannot be accepted. A surety is taken at the time of releasing a convict on bail to ensure that the convict surrenders after the expiry of bail period. An onerous duty is cast upon the person standing surety. In case, the accused/convict jumps bail, the duty undertaken by the

mitigating circumstances as has been pleaded by the petitioner. Thus, there is no illegality in recovery of the security amount by way of arrears of land revenue.

The writ petition lacks merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

12.10.2021
Ramandeep Singh

Whether speaking / reasoned	Yes / No
Whether Reportable	Yes/ No