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

CRM-M No.51179 of 2021 (O&M)

Date of decision: 07.12.2021

Shakti Rana

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.C. Shahpuri, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for setting-aside the order dated 22.11.2021 vide which the application filed by the petitioner for seeking extension of time to deposit the fine of Rs.5,000/- has been dismissed by the Additional Sessions Judge, Yamuna Nagar at Jagadhri in case FIR No.48 dated 16.02.2015 registered under Sections 148, 149, 323, 325 IPC at Police Station Farakpur, District Yamuna Nagar.

Counsel for the petitioner has argued that while deciding the main appeal filed by the petitioner, challenging the judgment of conviction passed by the trial Court vide which he was directed to undergo simple imprisonment for a period of 01 year arising out of the proceedings in FIR No.48 dated 16.02.2015, the Lower Appellate Court vide judgment dated 12.10.2021 has granted the concession of probation subject to the condition that both the convicts/accused i.e. the petitioner – Shakti Rana and co-accused Rajat Bakshi, will deposit a fine of Rs.5,000/- each, which will be payable to the injured/complainant as compensation within a period of 02 weeks from

the date of order i.e. 12.10.2021. It is further submitted that the petitioner could not deposit the amount and move an application which has been declined vide impugned order.

Notice of motion.

Mr. Deepak Grewal, DAG, Haryana, who is present in the Court, accepts notice on behalf of the respondent – State and oppose the submissions made by counsel for the petitioner.

After hearing the counsel for the parties, considering the limited prayer by the petitioner, I deem it appropriate to dispose of the present petition at this stage by directing the petitioner to deposit the fine of Rs.10,000/- instead of Rs.5,000/- as ordered by the Lower Appellate Court, for committing default in not making the payment on time.

Accordingly, the petition is allowed and the petitioner is directed to deposit the fine of Rs.10,000/- on or before 10.01.2022, which will be paid to the complainant/injured as compensation, in terms of the judgment dated 12.10.2021.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

07.12.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No