

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

258

CRR-1387-2021

Date of Decision: 14.02.2022

Sube Singh

.....Petitioner

Vs.

State of Haryana and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. S.S. Sahu, Advocate for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Vivek Saini, Advocate for respondent No.2.

ANOOP CHITKARA J. (ORAL)

The limited prayer for which the convict has come up before this Court is regarding deposit of 20% of the compensation amount which comes to Rs.10 lacs.

Learned counsel for the petitioner submits that it is beyond his financial capacity at the moment to make such payment and as such his statutory right to contest the appeal and to get bail is being violated as he is not being heard without mandatory deposit.

I have heard learned counsel for the complainant and he insists that the appeal can only be heard and admitted as per the statutory requirements.

Without getting into the legal controversy regarding statutory requirement, interest of justice would be fulfilled in case the appellate Court instead of focussing on this small issue, proceed to decide the appeal on merits.

Given above, this petition is partly allowed and Appellate Court Court is requested to decide the appeal on merits on or before 31.03.2022. It is clarified that no party shall seek adjournment and in case, adjournment is sought then it shall be open for the concerned Court to appoint legal aid counsel and proceed further in the matter.

Given above, sentence of imprisonment shall remain stayed till disposal of the appeal. Registry to communicate this order.

(ANOOP CHITKARA)
JUDGE

14.02.2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No