

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

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CWP No. 24998 of 2022

Date of Decision:- 31.10.2022

Sher Singh and another

....Petitioners

vs.

State of Haryana and others

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Sandeep Kumar Yadav, Advocate, for the petitioners.

Sudhir Mittal, J. (Oral)

The petitioners stood surety for a convict when he was released on parole. A couple of days before he had to surrender, he was arrested in a case under the Punjab Excise Act, 1914 and was put behind bars in a different prison. Allegedly, this information was transmitted to the jail from which the accused had been released on parole, yet, an order was passed forfeiting the sureties submitted by the petitioners. The said order was challenged in a revision petition and the same was allowed vide order dated 28.04.2021. Matter was remitted to the District Magistrate to initiate fresh proceedings under Section 446 Cr. P.C..

Learned counsel for the petitioners submits that order of attachment Annexure P-6 has been issued without initiating any fresh proceedings as required vide order dated 28.04.2021.

The petitioners have not objected to the passing of the attachment orders and, thus, at this stage, no relief can be granted to them.

The writ petition is disposed of with liberty to the petitioners to object to the order of attachment. Till the decision of the objections, no precipitate action shall be taken.

October 31, 2022

poonam

Whether Speaking/Reasoned

Whether Reportable

(SUDHIR MITTAL)

JUDGE

Yes

No