

CRM No. 34090 of 2023 in/and
CRA-S No. 1116-SB of 2006

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No. 34090 of 2023 in/and
CRA-S No. 1116-SB of 2006
Date of Decision: 22.11.2023

Balwant Singh

-Appellant

Versus

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Raman Mohinder Sharma, Advocate,
for the applicant-appellant.

Mr. Ravinder Singh, A.A.G., Punjab.

ANOOP CHITKARA, J.

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Vide order dated 27.07.2006, a Co-ordinate Bench of this Court had suspended the sentence of appellant- Balwant Singh considering that the applicant had undergone 07 months out of total sentence of 01 year and 06 months and ordered his release on bail to the satisfaction of Chief Judicial Magistrate. Pursuant to that order, appellant furnished bail bonds before the Court concerned and applicant- Daljeet Singh Sohi stood as a surety for him and furnished surety bond.

The appeal filed by Balwant Singh against the judgment of conviction and order of sentence dated 30.05.2006 stands admitted vide order dated 07.06.2006.

Now the present application has been filed by applicant- Daljeet Singh Sohi in which he claims that as per his information, the appellant has expired on 03.05.2008, however, there is an endorsement in revenue record of his property qua furnishing of surety before the Court. Now, he wants to get the same endorsement removed as appellant has already expired on 03.05.2008.

To verify the fact of death of Balwant Singh, this Court had directed the concerned DySP to file its response. State has filed affidavit dated 22.11.2023 of Kuldeep Singh, PPS, Deputy Superintendent of Police, Sub Division Malerkotla, District Malerkotla in the Court, which is taken on record and it is admitted that Balwant Singh

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had expired. It has been stated in para no.4 that the appellant had died in an accident on 03.05.2008 and proceeding under Section 174 Cr.P.C. was filed in Police Station City Sangrur. The statements of the witnesses were also recorded.

Given above, the main appeal is taken on board today itself.

Main Appeal

Since the appellant has expired on 03.05.2008, the main appeal stands abated in terms of Section 394 Cr.P.C. and it is closed and bail bonds/surety bonds of appellant stands discharged.

Given the main appeal has been disposed of having been abated and surety bonds stands discharged of the liability, therefore any entry reflecting anywhere in revenue record/bank accounts or any FDR in the name of applicant- Daljeet Singh Sohi as surety in this FIR stands removed and trial Court to also make necessary entry in its record qua his discharge from the liability of surety for appellant- Balwant Singh.

In case of any difficulty, liberty is reserved to the applicant- Daljeet Singh Sohi to come to this Court again.

Appeal stands disposed of having been abated and CRM No.34090 of 2023 filed by applicant- Daljeet Singh Sohi stands allowed.

22.11.2023
Jyoti Sharma

(ANOOP CHITKARA)
JUDGE

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