

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

112

CRA-S-1544-2023 (O&M)
Date of Decision: May 29, 2023

Sonu

.....Appellant(s)

Vs.

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vansh Malhotra, Advocate for the applicant-appellant.

Mr. Rajat Gautam Addl. A.G. Haryana.

ANOOP CHITKARA J. (ORAL)CRM-24041-2023

The present application has been filed for condonation of delay of 109 days in filing the present appeal.

For the reasons mentioned in the application, the delay of 109 days in filing the present appeal is condoned.

CRA-S-1544-2023

The present appeal has been filed for setting aside the impugned order dated 06.12.2022 passed by Id. ASJ, Kaithal vide which the appellant was directed to pay penalty of Rs.1 lakh as he stood surety for one-Sunny, who was accused in case bearing FIR No.493 dated 02.11.2019 under Section 323, 324, 307, 341, 506, 148, 149 IPC and 25-54-59 of Arms Act, 1959 registered at Police Station Civil Line, Kaithal.

2. Counsel for the appellant has handed over attested photocopy of the attendance sheet of the appellant, which is taken on record. He submits that the appellant was working with the accused at a very very meagre amount and under duress, he stood as surety for accused. He further submits that he is only the bread earner for his family and could not be able to arrange such a big amount.

3. A perusal of the attendance sheet corroborates the submission of counsel

for the petitioner.

4. Keeping in view the financial condition of petitioner and the condition in which he stood surety, the amount of penalty is reduced to Rs.10,000/- from one lac and appellant is directed to deposit the same by 30.06.2023 failing which this order stands re-called automatically u/s 362 Cr.P.C
5. The appeal stands allowed to the extent as mentioned above. All pending application(s), if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

May 29, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No