

119-2

2023:PHHC:160909

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

CRM-M-62709-2023

Date of Decision:14.12.2023

Surinder Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Sanjeev Kumar Sharma, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 Cr.P.C with a prayer to quash the condition No.(a) of impugned order dated 28.11.2023 (Annexure P-2) passed by the Court of Judicial Magistrate First Class-9, Jalandhar in case FIR No. 11 dated 19.01.2020 registered under Sections 420,406,120-B of IPC, Police Station Navi Baradari, District Jalandhar, whereby the petitioner was directed to furnish bank guarantee of Nationalised Bank to the tune of Rs.3.5 lacs.

2. Learned counsel for the petitioner submits that his passport has expired on 02.12.2023 and he has to leave India immediately. Learned counsel further submits that the petitioner is not having the said financial arrangements, at this stage, in view of the fact that the petitioner has already undergone a surgery. He further contends that the petitioner shall return to India on 26.04.2024.

3. Notice of motion.

4. On the asking of the Court, Mr. M.S. Bajwa, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State.

5. I have heard the learned counsel for the parties and perused the record.

6. After hearing the counsel for the parties, the condition No. (a) of impugned order dated 28.11.2023 (Annexure P-2) passed by the Court of Judicial Magistrate First Class-9, Jalandhar is modified as under:-

(a) That he will furnish Bank Guarantee of Nationalised Bank to the tune of Rs. 2.5 lacs. In case, the accused fails to appear on or before 26.04.2024, if directed by the Court through his counsel, an amount of Rs.2 lacs shall be paid to the complainant and the remaining amount of Rs.50,000/- shall stand forfeited to the State.

7. The petition stands disposed off.

14.12.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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