

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

127

CRM-M-4715-2024  
Date of decision: 30.01.2024

JIT SINGH @ JEET SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. G.S. Thind, Advocate  
for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. The petitioner having aggrieved with the judgment dated 22.08.2019 (Annexure P-3), passed by the Sub Divisional Judicial Magistrate, Samrala, whereby, he was convicted in case FIR No.165 dated 14.08.2011, under Sections 279, 337 and 338 of IPC, registered at Police Station Samrala, filed statutory appeal before the learned Additional Sessions Judge, Ludhiana.
2. The learned Appellate Court, while upholding the order of conviction, modified the order of sentence, which reads as under:-

*"Accordingly, the impugned sentence order is modified and the benefit of probation is given to appellant subject to following conditions:*

*1. That the appellant shall deposit ₹50,000 before court below within 15 days from today and the same shall be disbursed to the complainant as compensation and, thereafter, the appellant shall furnish probation bonds in the sum of ₹25,000 with one surety in the like amount under Section 4 (1) of Probation of Offenders Act, 1958, before the court below.*

*2. That the appellant shall keep peace and good behavior for one year and if he is found guilty of such like offence, he shall be called in court to receive sentence in this case.*

*3. That the fine already deposited by the appellant before court below shall be treated as costs of the proceedings.*

*4. That, in case the appellant fails to fulfill these conditions, his appeal against impugned sentence order shall be dismissed automatically and Area Magistrate shall be at liberty to take necessary steps strictly in accordance with rules for sending the appellant to jail to serve his sentence."*

3. The present petitioner in pursuance of the modified sentence order, was required to deposit Rs.50,000/-, before the learned trial Court concerned, within 15 days, and was also required to furnish probation bonds in sum of Rs.25,000/-, with one surety in the like amount, under Section 4(1) of Probation of Offenders Act, 1958.

4. The petitioner could not comply with the order (supra), within the stipulated time frame. Therefore, the petitioner moved an application before the learned Additional Sessions Judge, Ludhiana, for extension of time, which was declined, vide order dated 19.01.2024 (Annexure P-2). This declining order (supra), by the learned Additional Sessions Judge, Ludhiana, caused grievance to the petitioner, which led to the filing of the present petition, under Section 482 Cr.P.C.

5. Learned counsel for the petitioner submits that due to inadvertence, the petitioner could not comply with the order, as passed by the learned Appellate Court, within the stipulated time frame, however, the petitioner is ready and willing to comply with the directions, as passed by the learned Appellate Court, in case 07 days of time period is granted to the present petitioner to comply with the same.

6. Without commenting upon the illegality of the impugned order, and considering the fact that the counsel for the petitioner, has made a innocuous and *bona fide* prayer, this Court deems it appropriate to grant further time to the extent of 07 days to the petitioner, to comply with the directions passed by the learned Appellate Court, vide judgment dated 14.11.2023.
7. It is further made clear, that no further opportunity will be granted to the petitioner, in case the petitioner fails to comply with the directions passed by the learned Appellate Court, within 07 days from today.
8. Disposed of accordingly.

30.01.2024  
amandeep

(KULDEEP TIWARI)  
JUDGE

|                            |   |        |
|----------------------------|---|--------|
| Whether speaking/reasoned. | : | Yes/No |
| Whether Reportable.        | : | Yes/No |