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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12389-2024
Date of decision: 11.03.2024

Anwar Khan @ Anwar ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Nikhil Mittal, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 482 Cr.P.C. seeking issuance of directions to the trial Court/Duty Magistrate, concerned that petitioner may be permitted to furnish a single surety bond in all the 12 FIRs registered against the petitioner under Section 136 of Electricity Act in Police Station Babain, Kurukshetra, wherein the Court of Additional Sessions Judge, Kurukshetra has granted bail to the petitioner.
2. The counsel for the petitioner submits that the petitioner is involved in 12 criminal cases under Section 136 of Electricity Act. The Court concerned granted bail to the petitioner in all the said criminal cases vide different orders Annexure P-2 to Annexure P-13 with direction to furnish bail bonds in sum of Rs.50,000/- with one surety each in like amount to the satisfaction of the Court concerned. The counsel for the

petitioner further submits that the petitioner is not in a position to furnish one surety each for the 12 criminal cases. The counsel for the petitioner made prayer that petitioner be permitted to furnish only one surety in all the 12 cases. In support of his contentions, the counsel for the petitioner has placed reliance upon decision of Hon'ble Supreme Court in SLP (Crl.) No.8914-8915/2018 Hani Nishad @ Mohammad Imran @ Vikky Vs. The State of Uttar Pradesh decided on 29.10.2018 wherein the petitioner involved in 31 criminal cases for various offences was granted bail in all the said cases on condition of arranging two sureties each in all the cases. The High Court modified the conditions of bail imposed by the trial Court by directing the said Court to accept one common surety for all the cases and one surety each for the 31 criminal cases. The Hon'ble Supreme Court modified the said order to the extent that the petitioner shall execute personal bond for Rs.30,000/- and the same shall hold good for all the 31 cases. There shall be two sureties who shall execute the bond for Rs.30,000/- which bond shall also hold good for all the 31 cases.

3. On the other hand, the State counsel submits that petitioner should furnish bail bond as per conditions given in bail orders Annexure P-2 to Annexure P-13. However, in case, the said conditions appear to be onerous, then the same can be modified in the light of decision of Hon'ble Supreme Court in case of Hani Nishad @ Mohammad Imran @ Vikky, which is relied upon by counsel for the petitioner.

4. I have considered the submissions made by counsel for the parties.

5. From the perusal of record, it appears that petitioner is involved

in 12 criminal cases under Section 136 of Electricity Act and the Court concerned has granted bail to the petitioner in all the said cases vide Annexure P-2 to Annexure P-13 with direction to furnish personal bond in sum of Rs.50,000/- one surety in the like amount in each case. It will be difficult for the petitioner to arrange 12 sureties to furnish bail bonds in 12 criminal cases in compliance of orders Annexure P-2 to Annexure P-13. In the light of the law laid down by Hon’ble Supreme Court in Hani Nishad @ Mohammad Imran @ Vikky’s case (supra), the bail orders Annexure P-2 to Annexure P-13 are modified to the extent that petitioner shall execute a personal bond for a sum of Rs.50,000/- with one surety in like amount. It is clarified that the personal bond so executed by the petitioner and the bond executed by surety shall hold good for all the 12 cases.

6. The present petition is hereby disposed of in aforesaid terms.

11.03.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No