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

CRM-M-13704-2024
Decided on: 18.03.2024

Kapoor Singh and another Petitioners

versus

State of Haryana Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parvinder Moar, Advocate
for the petitioners.

Manjari Nehru Kaul, J. (Oral)

Instant petition has been filed under Section 482 Cr.PC for setting aside the impugned order dated 19.01.2024 passed by learned Addl. Sessions Judge, Bhiwani in case bearing No.SC-205-2022 titled as State of Haryana vs. Poonam Pandit arising out of FIR No.169 dated 26.04.2022 under Sections 120-B, 147, 149, 307, 323, 341, 379-B and 506 IPC registered at Police Station Siwani.

2. Learned counsel for the petitioners *inter alia* contends that the petitioners had earlier stood surety for accused Ankit and accused Sunil in case bearing No.SC-205-2022 titled as State of Haryana vs. Poonam Pandit and furnished surety bonds to the said effect; no doubt, an undertaking had also been furnished by the petitioners to produce the above two mentioned accused before the trial Court, during the course of trial, however, both these accused absconded and jumped bail after getting themselves involved in some other case. Learned counsel has urged that the petitioners had neither any role nor had they facilitated in

helping the accused abscond, however, the trial Court without giving an opportunity to the petitioners to produce the two absconding accused before the learned Court, had imposed a heavy penalty of Rs.50,000/- each. Learned counsel has submitted that the petitioners are poor persons and hence, a lenient view be taken.

3. Heard learned counsel for the petitioners and perused the relevant material available on record.

4. In view of the submissions made by learned counsel for the petitioners, the impugned order dated 19.01.2024 is modified to the extent that the penalty imposed by the trial Court stands reduced to Rs.35,000/- each. The instant petition is disposed of in above-said terms.

18.03.2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No