

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15513-2023

Date of Decision: January 09, 2024

SAJJAN SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. B.K. Bhangu, Advocate for the petitioner.

Mr. Chetan Sharma, DAG, Haryana.

Mr. Kamal Narula, Advocate for respondent No.2.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 482 CrPC, prayer has been made for quashing of order dated 13.03.2023 passed by learned Addl. Sessions Judge, Kapurthala in CRA-56-2023 titled as 'Sajjan Singh Vs. State of Punjab and Another' whereby, the petitioner was directed to deposit 20% of amount of fine while suspending the sentence on 13.03.2023.

This Court on 13.04.2023 passed the following order:-

"Learned counsel for the petitioner submits that vide order dated 13.03.2023 passed by the appellate Court, the sentence was suspended and a condition was imposed that 20% of the fine amount be deposited within 60 days from the date of the order. The said condition was mis-understood by the trial Court and thus, the petitioner was not released from custody even for a single day. If, his sentence is suspended for a period of 60 days, he shall deposit the 20% amount within the said period.

Notice of motion for 11.07.2023.

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Mr. Kamalpreet Bawa, AAG, Punjab accepts notice on behalf of respondent No.1 and waives service.

Respondent No.2 be served in the ordinary manner.

Meanwhile, the sentence of the petitioner shall remain suspended till 13.06.2023. Within the said period, the 20% amount be deposited as directed by the appellate Court.”

It has been informed by learned counsel for respondent No.2 that the amount of 20% as directed vide order dated 13.04.2023 has not been deposited so far, resultantly, the protection granted in favour of the petitioner regarding suspension of his sentence is hereby recalled. Respondent No.1-State is directed to ensure that the petitioner is apprehended.

In view of the fact that the petitioner has failed to comply with direction issued by this Court on 13.04.2023, though having availed the benefit of interim suspension, the present petition is thus dismissed.

09.01.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No

