

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

**CRM-M-16118-2024
Date of Decision : 06.11.2024**

NEERAJ KUMAR

.....Petitioner(s)

VERSUS

STATE OF HARYANA

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Abhimanu Jangra, Advocate,
for the petitioner(s).

Mr. Rajesh Gaur, Addl.A.G., Haryana

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, preferred under Section 482 Cr.P.C. seeking quashing of order dated 20.03.2024 (Annexure P-5), vide which the application dated 15.03.2024 (Annexure P-4), preferred by the petitioner seeking reduction of bail bond amount on the ground of extreme poverty, was dismissed by the learned trial court concerned.
2. He further seeks modification of the order dated 06.03.2024 (Annexure P-3), arising out of case FIR no.308, dated 04.07.2023, under Section 20/61 of the NDPS act, 1985, registered at P.S.Kheripul, District Faridabad.
3. A co-ordinate bench of this court while drawing an order dated 01.03.2024, in CRR-2736-2023, extended the relief of interim bail to the present petitioner on his furnishing adequate bail and surety bonds

subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

4. The above petition is still pending adjudication before this Court. In pursuance to the above relief, the petitioner approached the learned Additional Sessions Judge, Faridabad, who vide impugned order dated 06.03.2024 (Annexure P-3), directed to release the petitioner on furnishing bail bonds in the sum of Rs.1.00 lakh with two sureties of decent antecedents, in the like amount, the bonds being pertaining to either immovable property or FDR or said amount or the surety being Government officials.

5. The condition (*supra*) was not complied with by the petitioner, on account of the fact that he belongs to a different State, i.e. State of Bihar, and he did not possess any immovable property in the State of Haryana, where the FIR has been registered.

6. A co-ordinate bench of this Court vide order order 03.04.2024, considering the prayer made in the instant petition, modified the order of learned Additional Sessions Judge, Faridabad, dated 06.03.2024, to the extent of reducing the bail bond amount from Rs.1.00 lakh to that of Rs.25,000/-. However, rest of the terms and conditions were ordered to be remain same.

7. Learned counsel for the petitioner submits that the petitioner may in position to deposit bond pertaining to movable property and made a request for further modification in the order dated 06.03.2024 (*supra*).

8. The petitioner was granted the relief of interim bail by this Court vide order dated 01.03.2024 (*supra*), but till date, he could not

come out of the custody, solely because of the bail/surety bond conditions imposed upon him vide impugned order dated 06.03.2024 (Annexure P-3).

9. In view of the aforesaid facts and circumstances, this Court deems it appropriate to modify the impugned order dated 06.03.2024 (Annexure P-3), to the extent that “the petitioner be released from custody, on his furnishing bail bonds in the sum of Rs.25,000/-, with two sureties of decent antecedents in the like amount, the bond being pertaining to either movable or immovable property or FDR of the said amount or the surety being Government officials.”

10. **Disposed of** accordingly.

11. All pending application(s), if any, also stand **disposed** of accordingly.

November 06, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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