

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

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CRM-M-20723-2024

Date of Decision.:26.04.2024

Vimal Kumar

Petitioner

Vs.

State of Haryana and another

Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Santosh Kumar, Advocate with  
Mr. Sonu Kashyap, Advocate for  
the petitioner.

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**DEEPAK GUPTA, J. (ORAL)**

Petitioner had stood surety by executing a bond of ₹50,000/- for one of the accused Hardev Singh in case FIR No.0197 dated 20.05.2023 registered at Police Station Pehowa under Section 436 of the IPC, trial of which is pending before learned Sessions Judge, Kurukshetra. Accused Hardev Singh, for whom the petitioner had stood surety, had absented on 16.10.2023 when three PWs were present, due to which his bail was cancelled and bonds were forfeited. After serving notice to the surety i.e. petitioner he appeared and pleaded guilty under Section 446 Cr.P.C. and penalty of ₹50,000/- was imposed.

Learned counsel contends that petitioner is a poor person and that penalty of ₹50,000/- is quite excessive. Learned counsel prays for taking the lenient view by pointing out that later on accused Hardev Singh had surrendered before the Court on 27.02.2024.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of respondents- State.

Considering the fact that accused Hardev Singh had later on surrendered in the Court, for whom the petitioner had stood surety, penalty amount of ₹50,000/- as imposed upon the petitioner by way of the impugned order dated 06.03.2024 appears to be excessive. The said order is modified to the extent that penalty amount is reduced to ₹25,000/-.

Disposed of.

( DEEPAK GUPTA )  
JUDGE

April 26, 2024  
Neetika Tuteja

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|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |