

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

227

CRA-S-1669-2023 (O&M)
Date of Decision: 25.04.2024

Rajesh Kumar

..... Appellant

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Gursimran Walia, Advocate, for
Mr. Baljeet Beniwal, Advocate
for the appellant.

Mr. G.S. Dhillon, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

CRM-25744-2023

This is an application for condonation of delay of 295 days in
filing the present appeal.

For the reasons stated in the application as well as the
submissions made by learned counsel for the appellant, the same is allowed
and the delay of 295 days in filing the present appeal is condoned.

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Learned counsel for the appellant informs the Court that the
main accused Deepesh has already surrendered before the trial Court on
15.07.2022 and thereafter, regularly associating with the trial proceedings
and also that the present petitioner who is as a surety of the main accused
was not in a position to deposit the amount as security directed by the trial
Court to the tune of Rs.50,000/- which was totally arbitrary without

assessing the paying capacity of the present petitioner assessed by the trial Court.

In the light of above and on the other hand to corroborate the fact that the main accused-Deepesh has already surrendered and is regularly appearing before the trial Court and there is no default on his part, nothing survives in the present petition.

Accordingly, the impugned order dated 06.06.2022 is quashed and the appeal is allowed.

25.04.2024
D.Bansal

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No