



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

CRA-S-1651-2022

Date of decision: 25.09.2024

Brijesh Kumar

...Appellant

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vinod Kumar, Advocate for
Mr. Rajesh Lamba, Advocate for the appellant.

Mr. A.K. Sehrawat, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. Appellant has filed the present appeal against the order dated 02.08.2022 passed by the Court of Sessions Judge, Faridabad imposing a penalty of Rs.1,00,000/- for non production of accused Ramu Kumar @ Chhotu for whom the appellant stood surety.

2. Briefly stated an FIR No.103 dated 01.02.2020, under Sections 379-A/201/34 IPC was registered at Police Station Mujessar, Faridabad against Ramu Kumar @ Chhotu, Ravi and Nadeem. Ramu Kumar @ Chhotu was granted bail and the appellant stood surety for him and furnished surety cum bail bonds of Rs.1,00,000/-. During trial, Ramu Kumar @ Chhotu jumped bail and his non bailable warrants of arrest of were issued and proceedings were also initiated against the appellant under Section 446 Cr.P.C. As Ramu Kumar @ Chhotu was absconding, the learned trial Court of Sessions Judge, Faridabad imposed a penalty of



Rs.1,00,000/- upon the appellant. The appellant being aggrieved by the said order dated 02.08.2022, has filed the present appeal.

3. Today, the State counsel on instructions from ASI Mandeep has apprised the Court that after the passing of the impugned order dated 02.08.2022, Ramu Kumar @ Chhotu appeared in the trial Court and faced trial wherein he was acquitted.

4. Admittedly, in the present case, Ramu Kumar @ Chhotu who had earlier jumped the bail, later on joined the proceedings before the trial Court and on conclusion of trial, he stands acquitted. The essential element of the bail order is for ensuring the attendance of the accused in the Court whenever required. In the light of the aforesaid, this Court is of the view that ends of justice will be met by imposing a token penalty of Rs.7000/-.

5. In the light of the above, the present appeal is disposed of with the modification in the impugned order dated 02.08.2022 passed by the learned Sessions Judge, Faridabad to the extent that an amount of penalty of Rs.7000/- be recovered from the appellant in place of Rs.1,00,000/-.

6. However, the appellant shall deposit the said amount within a period of three months from today. In case, the appellant fails to deposit the said amount within the stipulated time, the instant appeal shall be deemed to have been dismissed.

25.09.2024

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**