



CRM-25654-2025 IN/AND CRR-195-2021 (O&M)

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

**CRM-25654-2025 IN/AND  
CRR-195-2021(O&M)  
Date of decision: 09.07.2025**

Jai Parkash and another

...Petitioners

*Versus*

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. G.C. Shahpuri, Advocate for applicant-petitioners.

Mr. Kiran Pal Singh, AAG, Haryana.

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**MAHABIR SINGH SINDHU, J.**

**CRM-25654-2025**

Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for preponing the main case, which is fixed for 26.11.2025.

Notice of the application to non-applicant-respondents.

Mr. Kiran Pal Singh, learned AAG, Haryana accepts notice on behalf of respondents and has raised no objection to the prayer made by applicant.

In view of the above and for the reasons mentioned in the application, same is allowed as prayed for, subject to all just exceptions. As a result thereof, main case, which is fixed for 26.11.2025, is ordered to be taken up on Board today itself.



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Main case

Challenge has been made to order dated 27.01.2021 passed by learned Additional Sessions Judge, Yamuna Nagar at Jagadhri (for short 'ASJ') whereby appeal of petitioners has been partly allowed and the amount of Rs.1,00,000/- each was reduced to Rs.50,000/- each.

2. Facts of the case as recorded in the order dated 27.01.2021 passed by learned Additional Sessions Judge, Yamuna Nagar at Jagadhri, are recapitulated as under:-

*“ Brief facts leading to filing of present criminal appeal are that both the appellants stood surety for convict Anshul, who was released on parole up to 01.04.2020, which was subsequently extended up to 01.05.2020 and then up to 22.05.2020 due to spread of Covid-19 infection, however the said convict having been failed to surrender himself before the jail authorities on 22.05.2020, was re-arrested on 10.06.2020. Consequent upon default, the concerned authority i.e. respondents No. 2 and 3 initiated proceedings regarding attachment of the properties of the sureties leading to attachment of the property of appellant No.2- Mehar Chand vide impugned order dated 09.07.2020. Assiling the said order, the appellants had approached the Hon'ble High Court by filing CWP, which was disposed off with the direction to approach the Court of Sessions and thus, the instant appeal has been filed before this Court.”.*

3. Contends that petitioner No. 1 is about 70 years of age and has no independent source of income; petitioner No. 2 is also about 56 years of age and doing labour work; thus, both the petitioners have no means to pay Rs. 50,000/- (each) as penalty amount and same be reduced to Rs.10,000/-each.



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Further contends that convict-Anshul, for whom petitioners stood sureties, has already been re-arrested on 10.06.2020.

4. *Per contra*, learned State counsel has vehemently opposed the prayer made on the premise that petitioners have failed to deposit an amount of Rs.50,000/-each despite specific directions by learned ASJ vide order dated 27.01.2021; hence, the petition deserves dismissal.

5. Heard both sides and perused the paper-book.

6. There is sufficient material available on record to substantiate that that both the petitioners are from poor strata of the society and convict-Anshul has already been re-arrested wayback on 10.06.2020. Therefore, taking into consideration the above factual position, a lenient view is warranted to reduce the penalty.

Consequently, the amount of penalty is reduced to Rs.15,000/- each.

7. Out of that amount, Rs. 5000/- (each) shall be deposited in the State exchequer; whereas remaining amount of Rs. 10,000/- (each) shall be deposited in the Account of High Court Bar Clerk Social Welfare Society, Account No.65135086765, IFSC Code-SBIN0050306 within a period of six weeks from today, failing which this revision petition shall stand dismissed.

Pending application(s), if any, shall also stand disposed off.

**09.07.2025**

*Harish Kumar*

**( MAHABIR SINGH SINDHU )  
JUDGE**

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |