



CR-2639-2026 (O&M)

-1-

129

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

**CR-2639-2026 (O&M)
Date of Decision: 25.03.2026**

Satyanarayan

..... Petitioner

Versus

Kogta Financial India Ltd. and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Badal Malik, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Article 227 of the Constitution of India praying for setting aside of the impugned order dated 31.01.2026 (Annexure P-1) passed by learned Additional District Judge, Hisar in Execution Petition No.EXE-308-2025 whereby the petitioner-judgment debtor has been ordered to be committed to civil imprisonment.

2. Learned counsel for the petitioner submitted that the petitioner does not have money to pay and he can only pay ₹50,000/- to the decree holder. He further submitted that the petitioner was proceeded against *ex parte* and conditional warrants of arrest have been issued against him by learned Additional District Judge, Hisar, which was contrary to law and therefore, prayed that the impugned order dated 31.01.2026 (Annexure P-1) be set aside.

3. I have heard learned counsel for the petitioner.

4. A perusal of the impugned order dated 31.01.2026 (Annexure P-1) would show that the petitioner was taken into custody pursuant to conditional



warrants of arrest issued by learned Additional District Judge, Hisar. Thereafter, an application was filed by the petitioner seeking cancellation of the said conditional warrants and his release from custody. Learned Additional District Judge has observed that the conduct of the petitioner-Judgment Debtor on the record was that in the execution petition, several times notices were sent to him and his wife to appear and submit their case, but they did not appear despite being served and therefore, they were proceeded against *ex parte*. Thereafter, conditional warrants against the petitioner-Judgment Debtor were returned unexecuted on the ground that the petitioner has absconded from the village. Each time, the issuance of such warrants was brought to the notice of his wife, who is also a judgment debtor, yet the petitioner persistently evaded the process of law. Now, after being taken into custody, he filed an application only to delay the execution proceedings. Learned Additional District Judge further noted that the petitioner was directed again to deposit the awarded amount, but he refused. Therefore, he was committed to civil imprisonment in Central Jail, Hisar. The order also clarifies that the petitioner will be released forthwith upon payment of the awarded amount.

5. After hearing learned counsel for the petitioner and perusing the impugned order, this Court is of the considered view that the present petition is liable to be dismissed as no illegality or perversity can be found in the impugned order dated 31.01.2026 (Annexure P-1) passed by learned Additional District Judge, Hisar. Rather the petitioner has evaded the process of the Court for a number of times as per the impugned order. Furthermore, as observed in the impugned order itself, the petitioner shall be released from civil imprisonment forthwith upon deposit of the awarded amount.

6. Consequently, the present petition is dismissed.

25.03.2026		(JASGURPREET SINGH PURI)
<i>Bhumika</i>		JUDGE
1. Whether speaking/reasoned:	Yes/No	
2. Whether reportable:	Yes/No	