

The case is taken on today's board as per advancement application filed by the counsel.

Sri. **N.M.T.** filed Vakalat for respondents. He filed application U/ Sec 491 of BNSS.

Respondent is present.

For orders.

ORDERS ON APPLICATION.

The respondent filed application U/Sec 491 of BNSS.

In said application it is stated that the respondent stood as surety in CC No. 1016/2023 and executed surety bond. The accused could not appear before the court on the scheduled date due to unavoidable circumstance, consequently proceedings forfeiture of the surety bond were initiated. The respondent has neither aided nor encouraged the absence of the accused. The respondent has always acted honestly and in good faith. He has no control over the movements or conduct of the accused after execution of the surety bond.

On perusal of records it appear that this petition has been registered against surety in view of absence of accused in C.C. No. 1016/2023.

The respondent submitted that he is suffering financial hardship and unable to pay the bond amount.

However considering the reason and request of the respondent, in the interest of justice and equity, I proceed to pass the following;

ORDER.

The application filed by the respondent U/Sec 491 of BNSS is hereby allowed.

The respondent is directed to pay fine amount of Rs.,20,000/-.

The office is directed to receive the fine amount in accordance with law.

Sd/-
(Smt. Shobha B.G.)
I Addl. Senior Civil Judge and
JMFC., Haveri.

Case Advanced.

Respondent counsel present, filed application U/Sec., 446 of Cr.P.C., memo along with certified copy of CC 1259/2023, prayed to close the Cril Misc., petition.

This petition has been register against surety U/Sec., 446 of Cr.P.C, on perusal of Certified copy of the C.C. No. 1259/2023.

The accused and complainant have settled the matter on dated 03-06-2024. As per settlement accused paid entire cheque amount of Rs.,1,12,452/- to the complainant. Accordingly case is disposed on 03-06-2024.

On perusal of the order sheet before settle the matter already Cril Misc.,52/2024 has been registered against the surety. Therefore in interest of justice and equity surety is directed to pay fine amount of Rs., 500/-.

Office is directed to received fine amount in accordance with law.

Sd/- 15-01-2025

Addl. Senior Civil Judge and JMFC.,
Haveri.

