
(2013) 01 AHC CK 0177

In the Allahabad High Court

Case No : Application U/S. 482 No. 2186 of 2013

Vinod Kumar Singh and Another

APPELLANT

Vs

State Of U.P.

RESPONDENT

Date of Decision : 24-01-2013

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 110, 110(a), 110(g), 111

Citation : (2013) 6 ALJ 110

Hon'ble Judges : Sunil Hali, J

Bench : Single Bench

Advocate : Upendra Upadhyay, for the Appellant;

Final Decision : Allowed

Judgement

Sunil Hali, J.—Grievance of the applicant is that he has been served with a notice u/s 111 Cr.P.C. for furnishing personal bond for his good behaviour for appearance of one year and also two sureties for an amount of Rs. 50,000 each. It is stated that the show cause notice served u/s 110/111 Cr.P.C. is deficient in fulfilling the requirement of Section 110/111 Cr.P.C. I have heard learned counsel for the parties.

2. It is essential that before seeking personal bond from any person, satisfaction has to be recorded by the Magistrate in order to ensure that the person comes within the ambit of Section 110(a) to (g). It is also necessary to indicate that the substance of the information and the nature of the allegations levelled in the said order are to be reflected in show cause notice u/s 110/111 Cr.P.C. Present notice has been issued in a printed form without disclosing substance of the allegations and the information. Vague and ambiguous information does not satisfy the requirement of the said Section. In view of the above, I allow this application and set aside the impugned notice.