

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

**Criminal Misc. No.M-15676 of 2015
Date of Decision: October 12, 2015**

Ritu Bhagat

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.R.B.S.Chahal, Advocate,
for the petitioner.

Mr.Sanjay Kumar, AAG, Haryana.

Mr.Surjeet Badu, Advocate,
for the informant.

Aggrieved person-Meera Parmar in person.

Naresh Kumar Sanghi, J.

Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioner, Ritu Bhagat aged about 47 years, who has been booked for having committed the offences punishable under Sections 406 and 420, IPC, in a case arising out of FIR No.977, dated 20.11.2014, registered at Police Station, Police Lines, Gurgaon.

On 06.10.2015, the arguments in the present case were heard and was adjourned for today for pronouncement of the orders. At that time, learned counsel for the petitioner had

requested to seek instructions from the petitioner with regard to deposit of ₹18,50,000/- (Rupees eighteen lacs and fifty thousand only) so that the interest of the aggrieved person may be saved.

Today when the case was called, Mr.R.B.S.Chahal, learned counsel for the petitioner stated at bar that the petitioner was ready to deposit ₹18,50,000/- (Rupees eighteen lacs and fifty thousand only) by way of bank draft with learned Area Judicial Magistrate to further deposit it in fixed deposit in a nationalized bank fetching maximum rate of interest and to hand over the principal and the interest thereof to the party entitled to the same after conclusion of the trial.

Learned counsel for the State has agreed to the said proposal subject to joining of the investigation by the petitioner as and when required to do so by the Investigating Agency.

Learned counsel for the informant though opposed the grant of bail to the petitioner but could not substantiate as to why the custodial interrogation of the petitioner was required.

After hearing the further arguments of the parties and the stand taken by the petitioner, the present petition is allowed subject to deposit of ₹18,50,000/- (Rupees eighteen lacs and fifty thousand only) by way of bank draft, by the petitioner, before learned trial Court /Area Judicial Magistrate within 15 days of passing this order. The amount to be deposited by the

petitioner, shall be deposited in a fixed deposit scheme fetching maximum rate of interest initially for three years and thereafter, periodically till the conclusion of the trial relating to the present case. The said amount shall be disbursed by learned trial Court to the party entitled to it after trial.

Interim directions dated 14.05.2015 issued by this Court are made absolute.

The petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down in Section 438(2),Cr.P.C.

It is made clear that in the event of failure of the petitioner to join the investigation and co-operate with the Investigating Agency, it would be open for the Investigating Agency to move an application for withdrawal of the concession granted to the petitioner.

October 12, 2015
seema

(Naresh Kumar Sanghi)
Judge