

205

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

CRM-M-19535-2015

Date of decision: 04.09.2015

Kashmir Kaur

... Petitioner

Vs.

State of Punjab and anr.

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Dinesh Nagar, Advocate
for the petitioner.

Mr. Daljit Singh Virk, AAG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks pre-arrest bail in FIR No.43 dated 07.05.2015 under Section 420 IPC, registered at Police Station Sadar Banga, District SBS Nagar.

Notice of motion was issued and interim protection was granted.

Petitioner is present along with her counsel. She submits that she could arrange only an amount of Rs.15,000/- to pay to the complainant to show her bonafide. She intends to pay the agreed amount of Rs.60,000/- which was arrived at between the parties in a recent meeting of brotherhood but she would be in a position to pay the said amount only by way of installments, she being a poor lady having no regular source of income and also suffering from more than one age related ailments.

Having heard the learned counsel for the parties and keeping in view the facts and circumstances of the present case, coupled with the material fact that petitioner is an old as well as poor lady, it is just and expedient to grant her more time to pay the alleged agreed amount of Rs.60,000/- to the complainant in easy installments. This is being ordered only because of the fact that petitioner is also suffering from ailments and she is not having any regular source of income, as stated by her before this Court.

In view of the above, instant petition is allowed and the order dated 03.07.2015 passed by this Court is hereby made absolute, however, subject to the following conditions: -

1. Let the petitioner pay the amount of Rs.15,000/- to the complainant by way of bank draft sending the same to him at his residential address by way of Registered AD Post, within a period of two weeks from today.
2. Thereafter, petitioner shall pay the remaining amount of Rs.45,000/- in three equal installments of Rs.15,000/- each, as undertaken by her before this Court today, after the gap of three months between each installment.
3. Petitioner shall pay every installment by way of bank draft in the name of the complainant and shall send to his residential address by way of Registered AD Post every time.
4. If the petitioner fails to comply with her own undertaking given before this Court today, her present petition would be

deemed to have been dismissed and as a consequence thereof,
law will take its own course.

This order shall be further subject to the conditions envisaged
under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

04.09.2015
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