

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35336-2015

Date of Decision: December 15, 2015

Promila Chadha

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Ravindra Jain, Advocate,
for the petitioner.

Mr. Pawan Gaur, DAG, Haryana,
for the respondent.

Mr. Manoj Bajan, Advocate,
for the informant.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

NARESH KUMAR SANGHI, J (Oral)

Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioner, Promila Chadha, wife of Rajinder Kumar Chadha, resident of Flat No. 389, Vasant Enclave, Vasant Vihar, New Delhi, who has been booked for having committed the offences punishable under Sections 406, 498-A and 506 read with Section 34, IPC, in a case arising out of FIR No. 529, dated 31.8.2015, registered at Police Station, Sector 7,

Faridabad.

Learned counsel for the State on instructions from ASI Darshan Singh of Police Station, Sector 7, Panchkula, submits that in compliance of the interim directions dated 30.10.2015, passed by this Court, the petitioner has joined the investigation. He further submits that one gold ring and a tops-set (earrings) valuing more than ₹70,000/- (rupees seventy thousand only), are yet to be recovered from the petitioner.

Learned counsel for the petitioner submits that the petitioner is ready to deposit ₹1,00,000/- (rupees one lac only) in lieu of gold ring and tops-set (earrings) as alleged. He further submits that the said amount be ordered to be deposited with learned Area Judicial Magistrate and be disbursed to the person entitled after trial.

Learned counsel for the informant has no objection to the above prayer. However, he submits that there is a long list of articles, which have not been recovered from the petitioner.

After hearing learned counsel for the parties, this Court finds that the petitioner has joined the investigation and the only dispute remains with regard to recovery of a ring and tops-set (earring) valuing approximately ₹70,000/- (rupees seventy thousand only). Since the petitioner has agreed to deposit a sum of ₹1,00,000/- (rupees one lac only) with learned Trial Court in lieu of

the non-recovery of the alleged gold ornaments, therefore, there would be no good ground to reject the prayer for grant of anticipatory bail.

In view of totality of facts and circumstances of the case, the present petition is allowed. The interim directions issued vide order dated 30.10.2015, 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 under Section 438(2), Cr.PC.

The petitioner shall deposit a sum of ₹1,00,000/- (rupees one lac only) by way of bank draft, with learned Area Judicial Magistrate/Duty Magistrate, Faridabad, within fifteen days of passing of this order. The Court shall deposit the said amount in a fixed deposit fetching maximum rate of interest. The said amount shall be disbursed to the person held entitled to by the learned Trial Court after conclusion of the trial.

(NARESH KUMAR SANGHI)
JUDGE

December 15, 2015
Pkapoor