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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-35479-2015
Date of decision : 21.10.2015

Naresh Kumari Uppal

... Petitioner

VERSUS

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Vaneet Sharma, Advocate,
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

Mr. Naveen Chopra, Advocate,
for the respondent.

M.M.S. BEDI, J.(Oral)

The petitioner seeks concession of regular bail in case FIR No.5 dated 08.04.2015, under Sections 406, 420, 465, 467, 468, 471, 120B IPC registered at Police Station N.R.I Amritsar City, District Amritsar.

Counsel for the petitioner had submitted that compromise has been arrived at between the parties and that as per the terms of the compromise, out of a sum of Rs.26,47,000/- due to the complainant from petitioner, the complainant had agreed to receive sum of Rs.13,00,000/- only.

Counsel for the complainant has intervened to oppose the application for bail contending that it was under threat and coercion that complainant has been made to agree to receive only a sum of Rs.13,00,000/-.

Without entering into the controversy regarding the compromise, taking into consideration the fact that the main allegations of mis-appropriation and cheating are against the husband of the petitioner and other persons, it is ordered that the petitioner will be released on bail on her furnishing bail bond/surety bond to the satisfaction of CJM/Illaq Magistrate/Duty Magistrate, Amritsar subject to an additional condition that a bank draft of Rs.16,00,000/- in favour of complainant will be deposited with the said Court at the time of furnishing of bail bonds, which could be handed over by the Court to the complainant on an application being filed by the complainant for release of the bank draft.

It is made clear that nothing said in this order shall effect the civil or criminal liability of the petitioner. The rights of the complainant to recover any other amount due will not be prejudiced by any observation made by this Court.

Allowed in the aforesaid manner.

October 21, 2015
Ramandeep Singh

(M.M.S. BEDI)
JUDGE