

CRM-M No.36547 of 2016

::1::

103

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

**C.R.M-M No.36547 of 2016
Date of Decision : 17.10.2016**

Aarti Sharma

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

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

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in Criminal Complaint Case No.3842/2014 dated 27.11.2014 under Section 138 of the Negotiable Instruments Act for dishonouring of three cheques of Rs.3 lakhs each.

The petitioner could not appear before the trial Court on 30.03.2016 and she was declared as proclaimed offender on 01.07.2016.

Learned counsel has argued that actually the petitioner has

not even issued these cheques but the same have been misused by her husband. Learned counsel has further stated that he has specific instructions to state that the petitioner will not absent herself from the Court during the pendency of the complaint.

In my opinion, it would be appropriate to put the petitioner to conditional terms. Let her make a fixed deposit of Rs.40,000/- in favour of the trial Court. In case the complaint is dismissed this amount would be liable to be returned to her. However, in case the complaint is allowed the amount in the fixed deposit would be handed over to the complainant, apart from any other reliefs which may be granted by the Court.

In the circumstances, it is directed that the petitioner be appeared before the trial Court on 27.10.2016 alongwith a fixed deposit of Rs.40,000/- and on her appearance the trial Court shall release her on interim bail to its satisfaction.

Petition stands allowed in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

October 17, 2016
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No
Whether reportable - Yes/No