

CRM-M-37628-2016 (O&M)
Date of Decision : 14.12.2016

Natasha Ahluwalia and another

.....Petitioners

versus

M/s Sanghi Distriburos and another

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Dr. R.P.S. Girwar, Advocate
for the petitioners.Mr. D.K. Singal, Advocate
for respondent No. 2.Mr. J.S. Toor, Addl.P.P,
for U.T. Chandigarh.**M.M.S. BEDI, JUDGE (ORAL)**

Mr. Rajesh Tushar, Advocate for the petitioners before the trial Court has appeared and stated at bar that a sum of Rs. 20,000/- in the shape of bank draft has already been deposited before the trial Court, pursuant to the interim direction while furnishing bail bonds and surety bonds.

Learned counsel for the complainant has intervened to oppose the application contending that petitioners are intentionally delaying the proceedings.

I have heard learned counsel for the petitioners as well as the counsel for the complainant and I am of the opinion that it will be in the interest of the expeditious disposal if the petitioners are permitted to put in appearance before the trial Court and compensate the complainant by paying the cost of unnecessary harassment and delay caused.

The petition is allowed. It is ordered that the petitioners will remain on bail against the bail bonds already furnished by them, pursuant to the interim order dated 21.10.2016 subject to a condition that a sum of Rs. 20,000/- paid in the shape of the bank draft, will be handed over to the complainant as cost of unnecessary adjournment and harassment and another sum of Rs. 5,000/- will be paid on the next date of hearing before the trial Court which would be treated as cost for adjournment under Explanation 2 to Section 309 Cr.P.C. The following additional conditions are also imposed on the petitioners:

- i) Petitioners will not absent themselves without any sufficient cause.
- ii) Petitioners will not take any step to delay the proceedings.
- iii) Petitioners will not tamper with the evidence or hamper the further proceedings in any manner.

In case the petitioners opt to absent themselves without any sufficient cause, it will be open to the trial Court to impose heavy costs for their conduct.

(M.M.S. BEDI)
JUDGE

14.12.2016
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No