

HIGH COURT OF CHHATTISGARH, BILASPUR**C.R.M.P. No. 80 of 2018**

- Smt. Indira Satyam @ Indu Wd/o Late Nutan Satyam, Aged About 43 Years Caste Satnami, R/o 13/b Rishali, Sector Bhilai, Police Station Newai, Tahsil And District Durg Chhattisgarh, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through District Magistrate Durg District Durg Chhattisgarh , Chhattisgarh.

---- Respondent

For the Petitioner : Shri T.K. Jha, Advocate.

For the Respondent/ State : Shri Anil S. Pandey, GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Judgment on Board****16.01.2018**

Heard.

1. This petition has been brought under Section 482 of the Code of Criminal Procedure with a prayer to modify the conditions imposed on her in order dated 20.07.2017, passed in M.Cr.C7 No. 4593/201, according to which she was ordered to deposit the amount of Rs.3,00,000/- in the trial Court apart from furnishing the bail bond as ordered.

2. It is submitted that the applicant had to borrow from other persons to comply with the order passed by this Court. The said amount as ordered has been deposited in the trial Court and the applicant has been released on bail. Further it is submitted that the applicant is suffering hardship, as she has to pay the interest on the loan taken by her, hence, it is prayed that the condition laid down in the previous order may be modified to the extent as prayed for or any suitable extent.
3. Leaned counsel for the State opposes the application and submits that in the previous order the Court has taken into consideration that the applicant has cheated the complainant and received Rs. Rs.3,00,000/- from him, hence, condition has been imposed in that manner to protect the interest of the complainant, therefore, the order does not need any modification.
4. Considered the submission made. The trial is still pending against the applicant and it is likely to take time for its conclusion, further, the trial Court has the powers to impose penalty and pass orders for compensation, in case the findings is arrived at in the judgment that the complainant needs to be compensated in accordance with the provision under Section 357 of Cr.P.C, hence, for this reason I am of the opinion that some relaxation can be given to the applicant, hence, the application is allowed at the motion stage.
5. The condition imposed of previous order is modified and amount to be deposited in the trial Court till the disposal of the matter shall be Rs. Rs.1,00,000/-. The applicant is permitted to withdraw the remainder

amount from the concerned Court by furnishing a bond for the same amount and if the Court passes any order to re-deposit then such order shall be complied by her.

6. Petition stands disposed off.

Sd /-

(Rajendra Chandra Singh Samant)

Judge