

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

**CRM-M No. 50670 of 2018
Date of Decision:-22.11.2018**

Gian Wati

...Petitioner

Versus

Suresh Sharma and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Johan Kumar, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in complaint case No.142 of 2018 dated 07.3.2018, under Sections 406, 420, 467, 468, 471 and 120-B IPC, at Police Station Central Faridabad, during pendency of the trial.

Petitioner Gian Wati lost her husband in a motor-vehicular accident and in the proceedings under the Motor Vehicles Act, 1988, for compensation, a sum of Rs.12,85,000/- were determined by this Court in FAO No.2748 of 2007, decided on 17.11.2015. In that appeal, the claimants were petitioner-Gian Wati, mother of deceased, namely, Smt. Nangi and minor children, who were represented by the petitioner.

After disbursement of the compensation, an application under Section 340 Cr.P.C. was moved by mother of the deceased on the allegations that the amount of compensation, which fell into her share, has been withdrawn by one Sheela by way of impersonation, whereupon, proceedings in the complaint have commenced. The petitioner is in custody since 02.6.2018.

Learned State counsel submits that it is a complaint case and no investigation is to be done.

Considering the nature of the offence and the fact that the trial will take sufficient time to conclude coupled with the fact that the petitioner being a lady, the petition is allowed and the petitioner is admitted to regular bail subject to her furnishing the requisite bail bonds and surety bonds to the satisfaction of the concerned trial Court.

November 22, 2018
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No