

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

CRM-M-44108 of 2018 (O&M)

Date of Decision: February 20, 2019

Nidhi Gandhi

...Petitioner

Versus

State of U.T. Chandigarh and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Petitioner in person with
Mr. R.S. Tacoria, Advocate.

Dr. Sukant Gupta, Addl. P.P. U.T., Chandigarh.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed for cancellation of the anticipatory bail that has been granted to respondents No.2 and 3 in FIR No.17 dated 24.02.2017, registered under Sections 406, 498-A of Indian Penal Code at Police Station Women Cell Sector 17, Chandigarh, on the ground that a false statement/address had been furnished of their son Adarsh Kumar.

Dr. Sukant Gupta, learned Addl. P.P. appearing on behalf of U.T., Chandigarh submits that during the pendency of proceedings in this court for quashing of the FIR and cancellation of the bail that has been allowed to respondents No.2 and 3, who are parents in law of the petitioner-complainant i.e. parents of husband of the petitioner-complainant, charges

have already been framed and the trial is commencing thereunder.

Mr. Ashwani Talwar, Advocate puts in an appearance on behalf of respondents No.2 and 3 and submits that order dated 02.05.2018 passed in CRM-M-49318 of 2017 has been complied with, wherein a direction had been issued to the husband of the petitioner-complainant to deposit a sum of ₹ 12 lacs with the Illaqa Magistrate in lieu of the alleged recoveries. This fact is not disputed by the complainant, who is present in the court.

The main argument of the counsel for the petitioner-complainant for cancellation of bail allowed to parents-in-law is that a false statement had been given regarding the address of their son. The husband and parents-in-law of the petitioner-complainant are already facing trial and the interest of the petitioner has been secured by deposit of ₹ 12 lacs, as noted above.

In view of the facts that the trial has already commenced and a sum of ₹ 12 lacs already stands deposited by the husband of the complainant with the Illaqa Magistrate, this court is not inclined to cancel the anticipatory bail that was allowed to the parents-in-law of the complainant, merely on the ground that a false statement had been furnished regarding the address of their son.

Dismissed.

February 20, 2019

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No