

CRM-M-257-2022

Date of Decision: 06.01.2022

RAJ RANI

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Kamaldip Singh Sidhu, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

The petitioner has been arrayed as an accused in the case bearing FIR No. 32 dated 20.07.2021 under Sections 420, 498-A, 120-B IPC and Section 406 IPC was added later on registered at Police Station NRI, district SAS Nagar.

In terms of order dated 25.11.2021 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, SAS Nagar (Mohali), the petitioner was permitted to travel abroad for a period of three months on her furnishing security of Rs.20 lakhs in the form of immovable property in her name with one surety in the like amount.

Learned counsel for the petitioner contends that she is having immovable property to the extent of Rs.12/13 lakhs in her name and bank balance of more than Rs.20 lakhs with HDFC Bank. As such, the petitioner is unable to furnish the security of Rs.20 lakhs in the form of immovable property in her individual name. Consequently, through present petition, modification in the condition imposed in the impugned order has been sought.

In pursuance of advance notice, Ms. Ruchika Sabherwal, AAG, Punjab has joined the proceedings and stated that appropriate modification may be made in the instant case ensuring that the entire security which may be furnished is to the extent of Rs.20 lakhs.

As the petitioner is having immovable property worth Rs.12/13 lakhs and bank balance to the tune of Rs.20 lakhs, the impugned order dated 25.11.2021 (Annexure P-2) is modified to the extent that the petitioner shall furnish the security of Rs.10 lakhs in the form of immovable property in her name and furthermore, bank guarantee to the tune of Rs.10 lakhs. However, it is made clear that the petitioner shall also have to furnish one surety in the like amount of Rs.20 lakhs as directed in the impugned order.

With the aforesaid partial modification, the petition is disposed of.

06.01.2022
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No