

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

CRM-M-No.7363 of 2022 (O&M)
DATE OF DECISION : 24.02.2022

Ataullah and AnotherPetitioners

versus

State of HaryanaRespondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mazlish Khan, Advocate for the petitioners

Mr. Viney Phogat, DAG Haryana.

ALKA SARIN, J. (Oral):

Heard in physical mode.

This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for release of the amount of FDR which was deposited in the Registry of this Court in compliance of the order dated 07.09.2018 passed in CRM-M-39444-2018.

The concluding part of the order dated 07.09.2018 reads as under:-

“In terms of the Supreme Court observation, the official respondents are directed to examine the representation (Annexures P-4) of the petitioners and to give necessary protection while appreciating the fact that there is threat to their life. Petitioners are present in Court. First petitioner undertakes to deposit a sum of

₹ 2,00,000/- in the form of F.D.R. in the Nationalized Bank for a period of 3 years in the name of second petitioner – Varisha @ Varsha Rani within a period of 3 months from today. First petitioner is directed to deposit copy of the F.D.R. in the Registry of this Court within a period of 3 months from today. In case he fails to do so, Registry is directed to list this matter on 11.01.2019. This order shall not validate the marriage of the petitioners.”

Learned counsel for the petitioners would contend that in due compliance the amount has been deposited and now the period of three years is over and hence a request is being made for release of the said amount. It has further been contended by the learned counsel for the petitioners that the petitioners are residing together and have now been blessed with a child.

The FDR as directed was to be made for a period of three years. The period of three years is since over, the petitioners are residing happily together and have also been blessed with a child.

In view of the above, the Registry is directed to release the FDR to petitioner No.2.

Disposed off accordingly.

**(ALKA SARIN)
JUDGE**

24.02.2022
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NOTE: Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
