

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

**CRM-M-10087-2022
Date of decision : 09.11.2022**

Ranju Raj Shree

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Sunil Sihag, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Ms. Rupinder Kaur Thind, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. seeking release of the amount deposited by the petitioner pursuant to the order passed by this Court in CRM-M-41371-2020 decided on 14.12.2020.

2. Some of the facts that need to be noticed in the present petition are that Shiv Shambu Sharma father of the petitioner was booked in a criminal case bearing FIR No.15 dated 17.01.2017 registered for the offence punishable under Sections 120-B, 406 and 420 of IPC read with Section 506 IPC added later on, at Police Station Ellenabad, District Sirsa. He approached this Court seeking bail on medical grounds. While directing his release, this Court imposed following conditions:-

“(a) The petitioner will furnish two local sureties to a sum of Rs.2.00 lacs each to the satisfaction of the trial Court.

(b) The petitioner will deposit Rs.10.00 lacs with the trial Court/Illaq Magistrate and in case he fails to surrender back on or before 24.03.2021, the said amount shall stand forfeited to the State.

(c) The petitioner will not leave the territorial jurisdiction of State of Haryana and Delhi (only for his medical treatment purposes).

(d) The petitioner will mark his presence before the Investigating Officer once in a month.

(e) The petitioner will surrender his passport before the trial Court/Investigating Officer.”

3. Accused Shiv Shambu Sharma died on 12.02.2022. Petitioner thus prays that the said money which was deposited by her be released. Ms. Thind appearing for the complainant submits that in fact it is a case wherein the deceased was alleged to be guilty of huge financial irregularities and thus the money was kept as a security and prays that the same be retained.

4. I have heard counsel for the parties and have gone through the records of the case.

5. The death of accused is not disputed. Owing to his demise, the criminal proceedings against him stand abated. Thus, there is no circumstance which would warrant retention of said amount deposited pursuant to the condition imposed by this Court while granting bail.

6. Consequently, the present petition is allowed. Amount deposited before the trial Court is ordered to be released to the petitioner.

(PANKAJ JAIN)
JUDGE

09.11.2022

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Whether speaking/reasoned :

Yes

Whether Reportable :

No