

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

CRM-M-58624-2022 (O&M)

Date of decision: 15.12.2022

Bhupinder Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. P. K. S. Phoolka, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for setting aside the order dated 31.10.2022, passed by the trial Court in CRM-41223-2022 filed in complaint No. 9834/2020 dated 25.11.2020, vide which the petitioner has been directed to furnish bank guarantee in the form of FDRs amount to Rs. 4,00,000/-, considering the fact that the cheque amount was Rs. 4,25,000/-.

Learned counsel for the petitioner submits that vide impugned order, the petitioner is granted permission to travel to USA on medical grounds for a period of three months from the date of order.

Learned counsel further submits that due to paucity of funds, the petitioner is unable to deposit the said amount as even her treatment is being sponsored by her sister-in-law, who is residing in USA.

It is further submitted that the petitioner is ready to deposit an amount of Rs. 1,00,000/- as a surety before the trial Court with an undertaking that if she fails to return within the time specified, the same may be forfeited to the Government.

After hearing learned counsel for the petitioner and considering the urgency involved in the matter, the issuance of notice of motion is dispensed with at this stage and the present petition is disposed of.

The petitioner is permitted to travel to USA, subject to deposit of Rs. 1,00,000/- with the trial Court in the form of an FDR, with an undertaking that if she fails to return on or before 20.03.2023, the same may be forfeited to the Government.

Rest of the conditions, as imposed in the impugned order, shall remain same.

15.12.2022
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No