

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

213

CRM-M-55492-2022

Date of decision : 04.01.2023

Geeta Rani

.....Petitioner

VERSUS

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR JUSTICE HARKESH MANUJA

Present:- Mr. Raman Kumar, Advocate, for
Mr. V. K. Kaushal, Advocate, for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

Mr. Satbir Rathore, Advocate, for the respondents.

HARKESH MANUJA, J. (Oral)

By way of present petition, the petitioner prays for setting aside the order dated 30.09.2022 passed by learned Sessions Judge, Hoshiarpur in CRA-39-2022 titled "Geeta Rani Vs. Sikander Singh (Annexure P-1) in complaint No.NACT No.21 of 2017 (Annexure P-2).

On 19.12.2022, this Court passed the following order:

"Learned counsel for the petitioner has prayed that the petitioner be granted one week's time to deposit the amount of Rs.20,000/- as undertaken by him during the course of hearing on 01.12.2022.

Adjourned to 04.01.2023.

Last opportunity is granted to the petitioner to deposit the said amount of Rs.20,000/- within a period of one week from today and also to comply with the other conditions stipulated in order dated 01.12.2022 within a period of 1 week from today.

In case the petitioner complies with the above said conditions, the petitioner would be released on interim bail on her furnishing bail bonds and surety bonds to the satisfaction of the

appellate Court. The appellate Court is directed to release Rs.20,000/- to the complainant.

It is made clear that said amount of Rs.20,000/- would not be construed to be a part of payment etc. with respect to any amount which the petitioner may be liable to pay on account of compensation or any order under Section 148-A of the Negotiable Instruments Act passed by the appellate Court. The said amount of Rs.20,000/- is only on account of the delay caused by the petitioner due to her non-appearance and the same would also not be deemed to be an admission of guilt on behalf of the petitioner.

In case the above said conditions are not complied by the petitioner, the present interim order would be liable to be vacated.”

Today, it has been informed by learned counsel for the petitioner that the aforesaid order stands complied with and a sum of Rs. 20,000/- stands paid to the complainant on 02.01.2023. He further submits that on account of *bona fide* reasons, the amount could not be paid within one week.

Although the amount of Rs. 20,000/- stands paid to the complainant, however, the needful could not be done within a period of one week as directed vide order dated 19.12.2022, however, in view of the explanation extended by the petitioner, the payment of sum of Rs. 20,000/- made on 02.01.2023 is hereby ordered to be accepted as compliance of the previous order dated 19.12.2022. Accordingly, the impugned order dated 30.09.2022 passed by the Court of learned Sessions Judge, Hoshiarpur is set aside. The petitioner shall furnish undertaking before the Appellate Court to the effect that she would appear on each and every date except the date on which her personal appearance is exempted for exceptional reasons. The interim bail granted to the petitioner is

The present petition is, disposed of, accordingly.

04.01.2023
anil

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>