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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29885-2024

Date of decision :25.06.2024

Kapila Sherawat

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep Punchhi, Advocate
for the petitioner.Mr. S.S. Mor, Advocate
for the respondent.

Mr. Samarth Sagar, Addl. Advocate General, Haryana.

ANIL KSHETARPAL, J.

1. The petitioner in the present case seeks permission to travel abroad to attend the reception of her niece which is stated to be fixed for 29.06.2024. She is facing prosecution in FIR No.323, dated 13.04.2017, registered at Police Station Sadar Hisar, under Section 13-D of PC Act and 120-B/166/175/177/406/420/218/477/477A/34 IPC. Learned counsel informs the Court that now trial under Section 406 and 420 IPC is pending.
2. Learned counsel representing the petitioner submits that previously also a similar application was filed by the petitioner, which was allowed by this Court on 14.12.2023. She in compliance with the order came back on 08.03.2024.
3. *Per contra*, the learned counsel representing the respondent submits that the allegations against the petitioner are serious and she being the president of housing society has indulged in multiple allotments of the



same plot and has converted the aforesaid reserved area for parks and other common facilities into plots. An FIR was registered in the year 2017. The case is triable by Chief Judicial Magistrate.

4. Keeping in view the aforesaid facts, the petition is allowed subject to the following conditions:-

- (i) The petitioner shall share the addresses where she shall be staying in USA and her e-mail ID. Further, the petitioner will activate the international roaming pack (valid till the date of her return) on her phone number on which she would use whatsapp.
- (ii) The petitioner shall keep the GPS location 'ON' at all times of her phone and shall also share IMEI number of the phone. The petitioner shall share other information with the State counsel before this Court. On receipt of such information learned counsel for the State shall pass on the same to the investigator.
- (iii) The petitioner shall return from USA on or before 30.07.2024.
- (iv) Counsel for the petitioner shall appear before the trial Court on her behalf and shall not seek any adjournment during this period.
- (v) The petitioner shall furnish surety of immovable property worth Rs. 10 lacs by undertaking to come back by 30.07.2024. If she fails to comply with the aforesaid conditions, the Court shall recover the amount after

auctioning her property.

5. With these observations, the petition stands disposed of.

25.06.2024
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Whether speaking/reasoned :
Whether Reportable :

(ANIL KSHETARPAL)
JUDGE
Yes No
Yes No