



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

CRM-M-58152-2024

Date of Decision: 22.11.2024

Sanjeev Chugh

..... Petitioner

Versus

Rajni Dhingra

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Adtiya Jain, Advocate,
Mr.Rahul Vohra, Advocate and
Mr.Rajat Singla, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the impugned order dated 25.10.2024 (Annexure P-11), passed by learned lower Appellate Court in Criminal Appeal No.CRA-94-2022, titled as Rajni Dhingra vs. Sanjeev Chugh, dated 09.05.2022, directing the petitioner to furnish the indemnity bonds undertaking with surety in the sum of Rs.50 lacs, thereby making the total amount as Rs.1.00 crore just for the release of the compensation amount of Rs.35 lacs, lying deposited before learned Court below.

2. It has been contended by learned counsel for the petitioner that learned trial Court has passed by the impugned order, whereby, the petitioner has been directed to furnish indemnity bonds accompanied with one surety in the sum of Rs.50 lacs each. It is submitted that for the security of Rs.35 lacs, learned Appellate Court has laid the condition as mentioned above, which is too harsh in the facts and circumstances of the case. He has



submitted that the petitioner would not be able to get any surety as directed by the Court. He has submitted that the appeal filed by the respondent-convict was dismissed by learned lower Appellate Court on 02.01.2024. He has further submitted that the respondent-convict filed CRR-119-2024 impugning the order dated 02.01.2024 and this Court had disposed of the said revision petition vide order dated 23.01.2024. It has been further submitted that the petitioner had already deposed before the Appellate Court that no purpose would be served by keeping the amount of Rs.35 lacs deposited with the Court, hence, he filed an application for releasing the amount of Rs.35 lacs i.e. Rs.30 lacs lying deposited in the treasury account and Rs.5 lacs as demand draft lying deposited in the record of the Court, to the petitioner. He has submitted that for the release of the same, imposing the condition of furnishing indemnity bonds undertaking with surety in the sum of Rs.50 lacs is too harsh and the same be modified, as for the release of just Rs.35 lacs with Rs.50 lacs surety bonds, making the total indemnity undertaking and surety amount to Rs.1.00 crore is unreasonable in the facts and circumstances of the present case.

3. Heard.

4. After hearing learned counsel for the petitioner, this Court finds that the precise submission made by counsel for the petitioner is for the release of Rs.35 lacs. However, for the same, learned Appellate Court imposed a condition of furnishing indemnity bonds of Rs.50 lacs with one surety in the same amount. In the considered opinion of this Court, the same is an onerous condition and thus, the impugned order dated 15.10.2024 is



modified to the extent that the petitioner now would furnish indemnity bonds of Rs.50 lacs without any surety. Rest of the contents of the order will remain intact.

5. The petition stands disposed of.

22.11.2024
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Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No