

**IN THE HIGH COURT OF HIMACHAL PRADESH,  
SHIMLA**

**Cr. MP (M) No. 76 of 2019  
Decided on: 24<sup>th</sup> January, 2018**

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Kajol Chaudhary	Versus	....Petitioner
State of Himachal Pradesh		...Respondent

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*Coram*

***The Hon'ble Mr. Justice Chander Bhusan Barowalia, Judge.  
Whether approved for reporting?<sup>1</sup> No.***

For the petitioner : Mr. Harish Sharma, Advocate.  
For the respondent : Mr. Adarsh Sharma and Mr.  
Narinder Guleria, Additional  
Advocate Generals,

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**Chander Bhusan Barowalia, Judge (oral)**

The present bail application has been maintained by the applicant/petitioner for releasing her on bail in case F.I.R. No. 153 of 2018, dated 25.12.2018, under Sections 420,406 and 120-B of the Indian Penal Code, registered at Police Station Sadar-Nahan, District Sirmaur, H.P.

2. As per the petitioner, she is innocent and has been falsely implicated in this case. Further she is joining and cooperating with the investigation and not in a position to flee from justice.

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<sup>1</sup> Whether reporters of Local Papers may be allowed to see the judgment? Yes.

3. Police report stands filed. As per prosecution the petitioner has committed a fraud with the bank by depositing the ornaments and securities, which were not genuine and obtained loan from the bank. Subsequently, the case under Section 420, 406 and 120-B of the Indian Penal Code came to be registered against her in Police station, Nahan.

4. Heard. After hearing learned counsel for the parties and going through the analytic report of the Forensic Science Laboratory with respect to the ornaments deposited as security, this Court finds that as the petitioner is joining and cooperating in the investigation and not in a position to flee from justice, the present is a fit case where judicial discretion to admit the petitioner on bail is required to be exercised in her favour. So, it is ordered that in the event of her arrest in this case, the petitioner be released on bail, on her furnishing personal bond to the tune of ₹ 10,000/- (Rupees ten thousand), with one surety in the like amount to the satisfaction of Investigating Officer. The bail is granted subject to the following conditions:

- i. ***That the petitioner(s) will join investigation of case as and when called for by the Investigating Officer in accordance with law.***

***ii. That the petitioner(s) will not leave India without prior permission of the Court.***

***iii. That the petitioner(s) will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Investigating Officer or Court.***

5. Accordingly, the petition is disposed of.

*Copy dasti.*

**24<sup>th</sup> January, 2019**  
(raman)

**(Chander Bhusan Barowalia)**  
**Vacation Judge**