

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-30708 of 2015
Date of decision : 29.10.2015

Harbans

..... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Namit Khurana, Advocate
for the petitioner

Mr. Gurdas Singh Salwara, DAG Haryana

Mr. R.S. Budhwar, Advocate
for the complainant

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 560 dated 28.07.2015 registered at Police Station City Yamuna Nagar, District Yamuna Nagar under Sections 447, 380, 294, 506 IPC.

A complaint was lodged by Tejinder Kaur with the allegation that she had rented out her property to Rakesh Kumar who in turn handed over the possession of the property to Veena. The petitioner is the husband of Veena. A civil suit had been filed by Tejinder Kaur seeking possession of the residential house. The allegations in the FIR now are that Veena and her husband had taken possession of the first floor illegally and after breaking the lock they had committed theft of household articles i.e. Fridge, Cooler, Double Bed, Dining Table, Washing Machine, Mattress etc.

Heard.

The petitioner was directed to join the investigation. He

has joined the investigation but recovery has not been effected.

The submission on behalf of the petitioner is that infact there was an oral agreement and according to it Veena had been put in possession of the property. The petitioner was asked if any amount had been paid under the oral agreement. The counsel is unable to give any information.

The allegations are that the petitioner and his wife had illegally entered into the property and occupied it and had committed theft of household goods. Recovery is to be effected. The petitioner had set up an agreement but has not been able to show any document or evidence.

In view of the above, no case for anticipatory bail is made out.

The petition is dismissed.

October 29, 2015

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**(ANITA CHAUDHRY)
JUDGE**