

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

CRM-M No. 38267 of 2015 (O&M)
Date of decision: 17.12.2015

Baljit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. N.K. Vadehra, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. P.S. Ghuman, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.176, dated 24.10.2015, registered under Sections 457, 380, 506 and 34 of the Indian Penal Code (for short 'IPC'), at Police Station Sadar Ludhiana, District Ludhiana.

The learned counsel for the petitioner contends that in pursuance of the order dated 06.11.2015, the petitioner has joined the investigation.

The learned State counsel submits that though the petitioner has joined the investigation, however the recovery of

stolen articles are yet to be effected.

The learned counsel for the complainant opposes the bail application and states the wife is not in possession of the premises.

It is to be seen that the dispute is inter se the husband and wife. It has come on record that the wife is in possession of the said premises from which allegedly the articles were removed.

Considering the fact that the dispute is inter se the husband and wife and the petitioner has joined the investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 06.11.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

17.12.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE