

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-44184-2014
Date of decision:21.05.2015**

Rekha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Rahul Sharma, Advocate for the petitioner.

Mr. K.D.Sachdeva, Addl. A.G., Punjab.

None for the complainant.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.142 dated 12.7.2014 registered under Section 380 of the Indian Penal Code at Police Station Dakha, District Ludhiana Rural.

Notice of motion was issued and interim protection was granted to the petitioner.

Learned counsel for the petitioner, at the very outset, states that he has got no instructions from the petitioner whether in compliance of the order dated 5.5.2015 passed by this Court, she has joined the investigation or not.

On the other hand, learned counsel for the State, on instructions from HC Sukhdev Singh, Police Station, Dakha, District Ludhiana Rural, submits that though the petitioner has joined the investigation but she did not cooperate with the investigating agency, because of which nothing could be recovered from the petitioner. He further submits that since the

petitioner is misusing the concession of interim protection granted by this Court, she is not entitled for the concession of pre-arrest bail. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of record of the case, this Court is of the considered opinion that since the petitioner is misusing the concession of interim protection granted by this Court, she has not been found entitled for the discretionary relief of anticipatory bail, at the hands of this Court. It is so said because despite having been directed three times to join and cooperate with the investigating agency, petitioner has failed to do so. She did not pass over any appropriate instructions to her own counsel, who has pleaded no instructions in this regard.

In view of the above and without commenting anything further on the merits, lest it should prejudice the rights of either of the parties, no case for anticipatory bail is made out.

Dismissed.

21.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE