

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

**Crl. Misc. No. M-4774 of 2015 (O&M)
Date of decision : 17.08.2015**

Anju Bala

..... Petitioner

versus

State of Punjab

... Respondent

with

Crl. Misc. No. M-4796 of 2015 (O&M)

Vipin Kumar

..... Petitioner

versus

State of Punjab

... Respondent

and

Crl. Misc. No. M-7123 of 2015 (O&M)

Pardeep Sharma

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Kulbir Sekhon, Advocate
for the petitioners Anju Bala and Pardeep Sharma
(in CRM-M-4774-2015 & CRM-M-7123-2015).

Mr. A.P.S. Srawan, Advocate
for the petitioner Vipin Kumar
(in CRM-M-4796-2015).

Mr. V.P.S. Sidhu, Asst. AG, Punjab.

Mr. I.S. Chawla, Advocate
for the complainant.

ANITA CHAUDHRY, J.

These are three petitions filed under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.6 dated 10.01.2015, registered under Section 379/406 IPC at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

Anju Bala and Pardeep Sharma had let out a property to the complainant. The allegations levelled by the complainant are that the locks were broken and the goods were taken away and he was illegally dispossessed. The allegations against Vipin are that he had transported the goods and had un-loaded the same.

All the petitioners had been directed to join the investigation and interim bail was granted on the condition that the recovery would be effected as a positive stand was taken on behalf of petitioner Vipin that he had been hired by Pardeep and Anju to transport the goods taken from the tenanted premises. The goods have not been recovered.

The counsel appearing for Anju and Pardeep have urged that a complaint had been filed by the tenants under the Negotiable Instruments Act which had been dismissed.

The correctness or otherwise of the judgment rendered in the Negotiable Instruments Act is not to be examined here. Admittedly, no petition for eviction had been filed. The tenants alleges that the forcible possession had been taken and he was only asking for his household.

Vipin has made a statement to the police admitting that he had been hired. His stand is that he was not involved and had received Rs.500/- as transportation charges.

The State counsel submits that part of the version given by Vipin was not found to be true as none of the persons in that area had supported the statement that any goods had been unloaded at a particular spot. Custodial interrogation of all the petitioners is necessary.

Sufficient time was given to the petitioners to join the investigation and get the recovery effected. No ground for anticipatory bail is made out.

All the three petitions are dismissed.

(ANITA CHAUDHRY)
JUDGE

17.08.2015
Sunil