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

CRM-M-7147 of 2017

Date of decision: March 15, 2017

Harmesh Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. S.S. Majithia, Advocate for the petitioner.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Ms. Rajni Gupta, Addl. AG
Punjab accepts notice on behalf of the State.

Rule. Heard forthwith with the consent of the learned
counsel for the rival parties.

In FIR No.138 dated 02.12.2014, under Sections 353, 186,
323, 34 of the Indian Penal Code, 1860, registered at Police Station
PAU, Ludhiana, the petitioner has filed second petition for
anticipatory bail.

Learned counsel for the petitioner submits that the first
petition for grant of anticipatory bail was withdrawn as at that time, the
proceedings for declaring the petitioner P.O. were going on. He has
also shown me the order made by the revisional Court by which the
order declaring the petitioner P.O. has been set aside.

I have gone through the said order and reasons recorded

therein. The case of the prosecution is that the Bailiff along with decree-holder were obstructed by the petitioner and others from the execution of warrant by Bailiff. Admittedly, there is no other allegation against the petitioner. Remedy, obviously, is clearly available in criminal procedure code, if the Bailiff was obstructed for doing duty.

In that view of the matter, I think the petitioner should be enlarged at liberty. Hence, I make the following order:-

ORDER

- (i) CRM-M-7147 of 2017 second petition, is allowed;
- (ii) The petitioner is ordered to be released on anticipatory bail on her furnishing bail bonds amounting to ₹10,000/- with one surety of like amount, subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

(A.B. CHAUDHARI)
JUDGE

March 15, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No