

Crl. Misc. No. M-24491 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-24491 of 2018

DATE OF DECISION:27.08.2018

Renu Bala and another

.....Petitioners

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Gurmeet Singh, Advocate
for the petitioners.

Mr. C.L. Pawar, Senior DAG, Punjab.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No. 45 dated 26.3.2018 registered under Sections 454/380/506 IPC at Police Station Dera Baba Nanak.

Learned counsel for the petitioners contends that the petitioners have falsely been implicated in this case. The dispute between the parties is of civil nature and the petitioners are ready to join the investigation and nothing is to be recovered from them.

Learned counsel for the respondent-State submits that the petitioners have lost their case before the civil Court as well as lower appellate Court and there is no interim order in favour of the petitioners in the RSA filed before this Court. Learned State counsel further contends that

possession of the premises in dispute was handed over to the complainant but subsequently the same has been taken from the complainant forcibly by the petitioners including some household articles.

Learned counsel for the petitioners has not disputed the factum of possession of the premises in dispute and loosing the case before the civil Court as well as lower appellate Court and with regard to the interim order in the RSA filed before this Court as well.

Keeping in view the submissions made by learned counsel for the parties and also the facts that the petitioners have lost their case before both the Courts below; there is no interim order in the RSA filed before this Court and that the petitioners are in illegal possession of the premises in dispute, there is no ground to grant anticipatory bail to the petitioners. The petition being devoid of any merit is hereby dismissed.

August 27, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No