

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

**CRM-M-47542-2017
Date of decision: 18.01.2018**

Priya

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kunal Muthreja, Advocate for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

None for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439(2) of the Code of Criminal Procedure seeking cancellation of anticipatory bail granted to respondent No. 2 Bhim Singh in ***CRM-M-26525-2016***.

A contention has been raised that anticipatory bail had been granted to respondent No. 2 Bhim Singh in FIR No. 57 dated 12.02.2016, under Sections 323, 498-A, 406 and 506 of the IPC, registered at Police Station Urban Estate, Rohtak on the agreement that he would assist in getting the car transferred on to the name of the complainant/petitioner or on to the name of any other person as per her choice and as on date the needful has not been done.

Upon notice, appearance has been caused on behalf of the respondent-State, however, no one has put in appearance on behalf of respondent No. 2.

Learned counsel for the respondent-State, on instructions from ASI Samundar, submits that an application had been preferred by

respondent No. 2 Bhim Singh seeking directions to complainant Priya d/o Ram Mehar to get the car transferred in compliance of the order dated 22.09.2017. The complainant appeared and recorded her statement on 31.10.2017 that she would consult her parents about retransferring of the car and on that statement, the application was disposed of. Learned counsel for the respondent-State further submits that till date the complainant has not submitted the particulars of the person in whose name she wants to get the car transferred.

I have heard learned counsel for the parties and have also perused the police file of the case.

In view of the fact that Bhim Singh, accused in the aforesaid FIR, had filed an application to get the car transferred on to the name of the complainant and the complainant herself had not supplied the particulars as to whose name the car was to be transferred, no ground is made out for cancellation of the anticipatory bail granted to Bhim Singh, respondent No. 2 herein.

However, before parting with this order, liberty is given to the petitioner/complainant to move an appropriate application before the trial Court giving the particulars of the person in whose name the car is to be transferred. On moving such application by the complainant, the trial Court is directed to decide the same within a period of two weeks.

Petitions stands disposed of.

18.01.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No