

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3733-2019

Date of Decision: 19.07.2019

Chanda Thakur

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Deepak Negi, Advocate for
Mr. Anil Bidhan, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, Asstt. A.G., Punjab.

Mr. Rahul Jaswal, Advocate
for the complainant.

...

Inderjit Singh, J. (Oral)

Petitioner-Chanda Thakur has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0394 dated 04.11.2018, registered at Police Station Zirakpur, SAS Nagar Mohali, under Section 406 of the Indian Penal Code.

Notice of motion was issued.

Learned State counsel and counsel for the complainant have appeared and contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per the allegation of the prosecution, the articles belonging to one Narender Kumar (deceased) are in illegal custody of the present petitioner.

Learned counsel for the petitioner states that there is no such

article with the petitioner. She was only care taker of the deceased (Narender Kumar). He also shown the copy of the compromise in the Court, in which it is written that all the articles are with another person i.e. Sudhir.

In pursuance of the interim order dated 25.01.2019, passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. No useful purpose would be served by sending her to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 25.01.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

19.07.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No