

CRM-M-22830-2019 (O&M)
CRM-M-22338-2019 (O&M)

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

Date of Decision : 27.5.2019

CRM-M-22830-2019 (O&M)

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Agnes

....Petitioner

vs.

State of Punjab

....Respondent

CRM-M-22338-2019 (O&M)

276

Agnes

....Petitioner

vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Saleem Malik, Advocate
for the petitioner.

Mr. Pawan Sharda, Senior DAG, Punjab.

AJAY TEWARI, J. (Oral)

This common order shall disposed of abovementioned two bail applications as the incidents and the person are same but the FIRs are different.

Petition **CRM-M-22830-2019** has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 9 dated 6.3.2019 registered under Sections 379-B IPC at PS Patara, District

Jalandhar Rural.

Petition bearing CRM-M-22338-2019 has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 30 dated 8.3.2019 registered under Sections 379/411/473 IPC at PS Cannt. Jalandhar, District Police Commissionerate Jalandhar.

In **CRM-M-22830-2019** FIR was registered by the owner of the taxi whose allegations were that two men and two women had taken his taxi on hire but at one place had snatched taxi away from him and gone away. The second FIR was lodged by the police of the place where the said taxi was found abandoned.

The precise contention of the learned counsel for the petitioner is that the petitioner is only nominated on the basis of the alleged disclosure statement.

On the other hand, learned Sr. DAG states that in these cases it would be appropriate if the petitioner is subjected to a TIP (Test Identification Parade). In case the complainant recognizes the petitioner she should not be granted concession of bail but in case the complainant does not recognizes the petitioner then he would have no objection if the bail is granted to the petitioner.

In these circumstances, let the petitioner appears before the IO on 31.5.2019 and she will be released on interim bail by the IO subject to the conditions envisaged under Section 438 (2) Cr.P.C. Thereafter, she would be asked to participate in TIP. In case the complainant is able to recognizes her, her bail would be liable to be cancelled and in case, the complainant does not recognizes the petitioner, the Investigating Officer

would confirmed the bail.

Both the petitions stand disposed of.

Since the main cases have been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

27.5.2019

anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

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Yes/No

Whether reportable

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Yes/No