

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41256-2019

Date of Decision: 18.10.2019

Dularwanti

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. J.K. Khetarpal, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

On 25.09.2019, the following order had been passed:-

“Learned counsel for the petitioner submits that though the house in question on which the raid is stated to have been conducted, with immoral activities were found to be going on in that house (as per the case of the prosecution), and it is owned by the petitioner, he seeks time to place on record certain documents to show that the petitioner had actually handed over the key to some other person who was actually in possession thereof and had control over it.

Without making any comment on the aforesaid contention, let notice of motion be issued to the respondent, returnable on 18.10.2019, to determine the correct position so far.

It is made clear that there is no interim order operating in favour of the petitioner at this stage. “

Today, no such document has been placed on record to show that the petitioner had actually handed over the key of the house to some other person, who had possession of the house and had control thereof.

Learned counsel for the petitioner further submits that the co-accused of the petitioner has been admitted to bail after arrest (on an application having been filed under the provisions of Section 439 of the Cr.P.C.).

I do not see how any parity can be sought on that account, in a petition under Section 438 Cr.P.C., seeking anticipatory bail to the petitioner, with the house in question found to be belonging to her.

Consequently, without making any comment on the actual merits of the case for or against the petitioner, the petition is dismissed.

October 18, 2019
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes