

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

**CRM-M-12980-2020
Date of decision: 08.07.2020**

Usha Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Shakinderpal Singh Chakkal, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 77 dated 21.04.2020, registered under Sections 457 and 380 of the IPC at Police Station Sadar Patiala, District Patiala.

The operative part of the order dated 27.05.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner submits that as per the allegations in the FIR, the petitioner, along with other accused has committed theft of commodities like, Sugar; Ghee; Sarson oil; Haldi; Dal; Surf; Rice etc., Counsel for the petitioner further submits that the petitioner is an old lady aged about 61 years and on one had the complainant has stated that somebody has committed theft at night in a shop but in the later part of the FIR it is stated that from his own investigation it came that the petitioner along with three other persons have committed the theft.

Counsel for the petitioner further submits that

there is nothing in the FIR as to how the complainant has come to a conclusion that the petitioner has committed the theft.

Notice of motion.

Mr. Amit Mehta, Senior Deputy Advocate General, Punjab, who is appearing through video conferencing, accepts notice on behalf of the State. He, however, opposes the prayer on the ground that the allegations against the petitioner are of serious nature.

List again on 8.7.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 27.05.2020, could not join investigation and seeks one more opportunity to do the same.

Learned State counsel, on telephonic instructions from the Investigating Officer, submits that the petitioner may be directed to join investigation subject to conditions envisaged under Section 438(2) Cr.P.C.

In view of the above, the present petition is disposed of and the petitioner is granted concession of anticipatory bail with a direction to appear before the Investigating Officer and join investigation within a period of 15 days from today or any other date & time as fixed by the Investigating Officer. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

08.07.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No