

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

**CRM-M-20243 of 2021
Date of Decision: 20.05.2021**

Paramjit Kaur

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Varinder Basa, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking anticipatory bail in FIR No. 19 dated 19.4.2021, under Section 380 IPC, registered at Police Station Kotli Surat Malhi, District Gurdaspur.

The FIR is at the behest of Gagandeep Kaur wife of Narinder Singh. As per the FIR, there was some connection between Paramjit Kaur (petitioner) and Piara Singh @ Bittu. The petitioner was living with the complainant for last two months. On 16.4.2021, when the husband of the complainant was at shop, sister-in-law and brother-in-law were on duty and the mother-in-law had went to attend a Bhog ceremony, at about 12.00 noon, Piara Singh entered the house along with the petitioner. After some time, they came out of the house bringing two small bags with some articles. The complainant was pushed when she tried to stop them. The petitioner and the co-accused fled away on a motor cycle. The incident was witnessed by Balbir Singh (Taya of the complainant). After the incident, on the search of the house, it was found that five gold rings, one gold chain, one pair of ear rings and one gold Kara were missing.

Learned counsel for the petitioner submits that it is a dispute between the family members. There is a property dispute hence petitioner has been falsely implicated. He further argues that there is a delay of three days in lodging the FIR.

Learned counsel for the State opposes the prayer for grant of anticipatory bail. She submits that the petitioner along with co-accused is absconding, the recovery of articles are yet to be made and there are two eye witnesses to the incident, hence custodial interrogation is necessary.

The argument of learned counsel for the petitioner that there are some disputes amongst the family members is not substantiated by any document or evidence. No doubt that the complainant and the petitioner are related but the incident of theft is witnessed not only by the complainant but Balbir Singh also. The alleged stolen articles are yet to be recovered. Three days delay in lodging the FIR itself may not be fatal considering that parties are related. Moreover after the incident, it must be taken some time to find out the missing articles and the fact that some efforts must have been made to trace the petitioner as she was a relative.

No ground is made out for grant of anticipatory bail.

The petition is dismissed.

However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

20th May, 2021
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |