

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

**CRM-M-17837-2020  
Date of decision: 15.03.2021**

**Bharti Deol and another**

**...Petitioners**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. H. K. Aroua, Advocate  
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Prateek Pandit, Advocate  
for the complainant.

**ARVIND SINGH SANGWAN, J. (Oral)**

Prayer in this petition is for grant of anticipatory bail to petitioners in FIR No. 208 dated 12.09.2019, registered under Sections 457, 380 of the IPC at Police Station City Kharar, District S. A. S. Nagar.

Learned counsel for the petitioners submits that as per allegations in the FIR, the complainant is the tenant of the petitioners. It is further submitted that the complainant was arrested in a case under the NDPS Act on 10.02.2019 by the Amritsar Police and when he was in judicial custody, the petitioners visited the premises and found that the lock were opened and some articles were missing and thereafter, they informed the police about the incident.

Learned counsel further submits that thereafter, when the complainant was released on bail, again the petitioners accompanied the complainant to police for registration of the FIR, however, the present FIR

was registered on the premise that the petitioners have stolen the articles. It is further submitted that the petitioners are husband and wife and the complainant, in order to retain the possession of the premises, has got the present FIR registered against them.

Learned counsel further submits that in pursuance to order dated 22.12.2020, the petitioners have already appeared before the Investigating Officer/SHO and have joined investigation.

Learned State counsel, on telephonic instructions from the Investigating Officer, does not dispute the fact that the petitioners have joined investigation and submits that the complainant has failed to provide the bills of articles, relied upon by him, which are missing or allegedly stolen.

Learned counsel for the complainant submits that the complainant has already supplied the list of the articles, which were stolen from the premises, however, he could not dispute the fact that the bills of the said articles were not supplied by the complainant.

In view of the above, the present petition is allowed and the interim bail granted to the petitioners, vide orders dated 13.07.2020 and 22.12.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

15.03.2021

*Waseem Ansari*

(ARVIND SINGH SANGWAN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*