

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-38369-2021 (O&M)
Date of Decision:-23.9.2021

Mahesh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gobind Dhanda, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by HC Pawan Kumar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.201 dated 22.8.2021 at Police Station City Safidon, District Jind under Section 379 of Indian Penal Code.
2. The FIR was lodged at the instance of Priyanka, wherein it is alleged that on 21.8.2021 she alongwith her children was proceeding from Matlauda to her house in Sheelakheri and while she was waiting at Bus Stand Safidon for other members of the family, one unknown lady alongwith a child sat near her and took out complainant's purse from her bag, which contained a cash

amount of ₹13,500/-, a gold ring and a gold chain and made good her escape with the help of a person standing nearby on a motorcycle.

3. Learned counsel for the petitioner has submitted that a perusal of the FIR would show that the allegations are mainly against a lady (wife of petitioner) and that the petitioner is nowhere named therein. It has further been submitted that although the prosecution claims that the stolen articles have been recovered from the house of father of the lady namely Sandeep Kumari from where she also got recovered other stolen articles and ornaments and an amount of ₹12 lakhs, but it was on account of the fact that marriage of sister-in-law of the petitioner was to be solemnized shortly that the gold ornaments and cash had been kept at the house of the co-accused Suresh (father-in-law of petitioner). It has been submitted that, in any case, the petitioner cannot be attributed any role in respect of any recovery having been effected from the house of his father-in-law.
4. Opposing the petition, learned State counsel has submitted that the petitioner is husband of Sundeeep Kumari and that from the CCTV footage collected from a camera installed near the bus stand, it has been verified that Sandeep Kumari immediately after stealing the purse of the complainant made good her escape from the spot on the motorcycle parked nearby, which was being driven by none else but her husband i.e. the petitioner Mahesh. It has also been pointed out that the petitioner alongwith his wife is infact residing in the house of his father-in-law Suresh from where huge recoveries have been effected and that the said co-accused Suresh is involved in as many as 23 other cases of identical nature.
5. I have considered rival submissions addressed before this Court.

6. The CCTV footage of the place of occurrence is stated to be reflecting that the petitioner had facilitated the escape of the co-accused Sandeep Kumari, who had stolen the purse of complainant. Further since during the course of investigation it has been found that the petitioner is residing with his father-in-law from where huge recovery of articles and cash amount of ₹12 lakhs has also been recovered, custodial interrogation of the petitioner would certainly be required. The petition is sans merit and is hereby dismissed.

23.9.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No