

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

(207)

CRM-M-43518-2021.

Date of Decision:-01.12.2021.

Sita Devi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ankit Kumar, Legal-Aid counsel for
the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.125 dated 18.07.2021 under Section 379 of IPC, registered at Police Station Jhansa, District Kurukshetra.

The case of the prosecution is that one Gurdeep Singh had given a complaint on the basis of which the FIR was registered wherein allegations were levelled to the effect that he was constructing a new shop and had placed his mobile phone on a drum, which was placed in the corner and then the complainant later saw that the mobile was not there on the drum and upon checking the CCTV camera footage, it was seen that the present petitioner had picked up the same.

Learned counsel for the petitioner has submitted that the petitioner was granted interim protection and had gone to join investigation

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several times. It is further argued that as far as the CCTV is concerned, the same is a matter of trial.

On the other hand, learned State counsel has opposed the present application for grant of anticipatory bail and has submitted that it is very clear from the CCTV camera footage that it is the present petitioner who had committed the offence of theft. It is further submitted that the petitioner is involved in another case and even after the petitioner had come to join the investigation, she had not cooperated and even when the matter was before the Additional Sessions Judge, Kurukshetra, petitioner had not cooperated. It is argued that the petitioner is a quarrelsome person indulging in criminal activities and, thus, does not deserve the benefit of anticipatory bail.

Keeping in view the above-said facts and circumstances moreso, the fact that from the CCTV camera, it is prima facie clear that it is the petitioner who has picked up the mobile phone and also the fact that the petitioner is involved in one other case and that she has not cooperated in the investigation, the present petition for grant of anticipatory bail is dismissed.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

December 01, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No