

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

CRM-M-32320-2022  
Date of Decision: 23.08.2022

Saleena

....Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Ravi Rana, Advocate, for the petitioner.

**HARNARESH SINGH GILL, J (Oral)**

The petitioner seeks grant of anticipatory bail in case bearing FIR No.161 dated 08.07.2022 registered under Sections 380, 457 IPC at Police Station Sadhaura, District Yamuna Nagar.

Learned counsel for the petitioner would contend that the petitioner was originally not named in the FIR and has been indicated on the basis of the disclosure statement of Vicky Deha; that the petitioner is an illiterate lady and does not even know how to operate the mobile phone and that co-accused Vicky Deha and Raju alias Steel Badi, have already been arrested by the police and they had no occasion to deliver the stolen mobile phones to the petitioner.

I do not find any substance in the said submissions.

As per the prosecution case, accused Vicky Deha was arrested on 10.07.2022 in connection with the theft of mobiles from the shop of the complainant on the intervening night of 07/08.07.2022. The said accused in pursuance of his disclosure statement got recovered two mobile phones, screw driver, pliers

and chisel. Still further, on the basis of his disclosure statement, one Raju alias Steel Badi was also arrested and one stolen mobile phone was got recovered by said accused. Accused-Vicky Deha, in his disclosure statement, had also named the petitioner. The petitioner is none else, but mother of said Vicky Deha. As would decipher from the perusal of the order dated 18.07.2022 passed by the Sessions Judge, Yamuna Nagar, recovery of some of the mobile phones, has been effected from co-accused. However, the police is yet to recover the remaining stolen mobile phones. Thus, merely because she was not named in the FIR, would be no ground to presume the innocence of the petitioner. Rather, having been named by her own son in his disclosure statement, her custodial interrogation is necessary.

In view of the above, no case is made out to grant the concession of anticipatory bail to the petitioner.

Dismissed.

23.08.2022  
ds

**(HARNARESH SINGH GILL)**  
**JUDGE**

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |