

CRM M-22896-2024 (O&M)
Date of Decision: 22.05.2024

..... Petitioner

Versus

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Dhruv Gupta, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Punjab.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for seeking pre-arrest bail in FIR No. 318 dated 19.09.2023 registered under Sections 380 and 454 IPC, at Police Station, Sector-5, Panchkula.

2. Status report dated 22.05.2024 by way of affidavit of Sh. Surender Singh, HPS, ACP, Panchkula filed on behalf of respondent-State is taken on record. Registry to tag the same at appropriate place.

3. Allegations are that petitioner committed theft of gold bangles of grandmother of the informant weighing 30 grams.

4. Learned counsel contends that petitioner has been falsely implicated in the present case. She has been nominated as an accused on the basis of suspicion alone. Also contends that petitioner is ready to join the investigation.

5. *Per contra*, learned State counsel, while making reference to para 4 of the affidavit dated 22.05.2024 filed by Assistant Commissioner of Police, Panchkula, submits that apart from the present FIR, petitioner is involved in 02



other cases of similar nature; thus, her custodial interrogation would be required to know the *modus operandi*.

6. Heard learned counsel for the parties and perused the paper-book.
7. It transpires that apart from the present FIR, petitioner is involved in 02 other cases and which are as under:-

<i>Sr. No.</i>	<i>FIR NO.</i>	<i>Under Section</i>	<i>Police Station</i>	<i>Status</i>
1.	205/23	454 and 380 IPC	Sector 14 PKL	Pending
2.	386 dated 18.09.2023	454, 380 and 411 IPC	Sector 7, PKL	Pending

8. In view of the above, it is apparently clear that petitioner is habitual offender and as such, her custodial interrogation would be required to know the true facts. Thus, there is no option, except to dismiss the petition.
9. Ordered accordingly.
10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
11. Pending criminal misc. application(s), if any, shall also stand disposed off.

22.05.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No