

Rajinder Kaur Versus State BA: CIS No. 2784 of 2021
CNR No. PBHO0100 7837 2021

Present: Sh. RS Abhi Advocate for the applicant/accused
 Ms. Mandeep Chahal Addl PP for the State
 Sh. HS Saini Advocate for the complainant

 Heard. Record produced and perused. Applicant/accused Rajinder Kaur wife of Narinder Singh has sought anticipatory bail in FIR No. 196 dated 20.11.2021, under Sections 454, 380, 120B IPC, 1860, PS Mahilpur District Hoshiarpur.

2. It is prayed by the learned counsel for the applicant/accused that there is family dispute between the parties, due to which reason, present false case has been registered at the instance of complainant and there is delay of about three months in the lodging of the FIR regarding the alleged occurrence. He further submitted that the complainant has alleged in the FIR that her gold ornaments were stolen by co-accused Surinder Kaur at the behest of her daughter I.e. present applicant/accused Rajinder Kaur, hence nothing is to be recovered from the applicant/accused, who is a lady aged about 53 years. Therefore, it is prayed that the present bail application may be allowed.

4. On the other hand, the learned Addl. PP for the State along with Sh.HS Saini Advocate for complainant took this court to the record and submitted that as per version of complainant, accused Surinder Kaur has committed the theft of gold ornaments of the complainant at the behest of the present applicant/accused and the

name of applicant/accused is mentioned in the FIR. Hence, it is prayed that no discretionary relief of anticipatory bail can be granted to the applicant/accused.

5. After having heard both the sides and after perusing the record, this court finds that present case was registered against the accused on the statement of complainant Ruptinder Kaur, vide which she has levelled allegations of theft of her gold ornaments by her grandmother in law Surinder Kaur on 23.8.2021, in her absence. The complainant further alleged that after seeing the CCTV cameras installed in the house, she came to know that her grandmother in law Surinder Kaur after breaking open the lock of the room, has entered into her room. After checking the almirah, she found that her gold ornaments i.e. necklace, topus, gold chain, gold ring were stolen by Surinder Kaur. She alleged that Surinder Kaur committed the theft of said articles at the behest of her daughter applicant/accused Rajinder Kaur. Keeping in view the said allegations, nothing is to be recovered from the applicant/accused, who is female aged about 53 years as stated by the learned counsel for the applicant/accused. In the light of these facts and circumstances of the case, this Court deems it a fit case to grant interim bail to the applicant/accused subject to joining the investigation. Accordingly, the applicant/accused is directed to join the investigation within 7 working days from today, in which event, she shall be released on interim anticipatory bail to the satisfaction of the

Investigating Officer/Arresting Officer, subject to the conditions that the applicant/accused shall join the investigation as and when called by the Investigating Agency, that she shall not leave India without prior permission of the Court and shall not tamper with the prosecution evidence. For report, to come up on 7.12.2021. Police record be returned and produced on next date of hearing.

Dated: 26.11.2021

baljinder

(Neelam Arora)
Addl. Sessions Judge
Hoshiarpur
UID No. PB0091