

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

CRM-M-10102-2015 (O&M)

Date of decision : 31.03.2015

Kartar Singh

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

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

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 438(2) of the Code of Criminal Procedure, seeking cancellation of anticipatory bail granted to respondent No.2, vide order dated 19.01.2015 (Annexure P-8).

The learned counsel for the petitioner contends that from the perusal of Annexures P-2 and P-4, it is established that the petitioner had paid Rs.3,50,000/-. This fact was not correctly appreciated by this Court.

Heard.

In the considered opinion of this Court, the contention

raised by the learned counsel for the petitioner is totally misconceived. These are the disputed questions of facts involved in the matter. The issuance of cheque in favour of the accused by the petitioner, by no stretch of imagination, could be said to be a conclusive proof. The learned counsel has failed to refer to any incident or any circumstances indicating that the accused-respondent No.2, has misused the concession of bail or process of the Court.

In the circumstances, the present petition is ill-conceived and is accordingly dismissed.

31.03.2015

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(JITENDRA CHAUHAN)
JUDGE