

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

CRM-M No. 11166 of 2015.
Date of Decision : 05.05.2015.

Sandeep Kumar

...Petitioner

Versus

U.T. Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUTICE TEJINDER SINGH DHINDSA.

Present: Mr. Jaspal Singh Baasi, Advocate
for the petitioner.

Tejinder Singh Dhindsa, J.

The instant petition has been filed under Section 439(2) Cr.P.C. seeking cancellation of bail granted to private respondent No. 5, Prikshit Sai.

In the light of the prayer raised in the petition, counsel during the course of hearing today was called upon to advert to the order in terms of which, concession of pre-arrest bail was granted to the private respondent No. 5 and in regard to which cancellation has been sought. In response thereto, counsel has referred to an order dated 20.09.2013 passed by the learned Additional Sessions Judge, Chandigarh at Annexure P-5.

Perusal of the same would reveal that the Court has taken cognizance of the fact that even though FIR has not been registered, yet a complaint is pending against Prikshit Sai, respondent No. 5. Accordingly, directions had been issued that in the eventuality of registration of FIR, four days prior notice in writing be served upon the petitioner therein by the Police Station concerned.

Clearly, there is no order passed granting concession of anticipatory bail to private respondent No. 5.

In the light of such factual position, the instant petition filed under Section 439(2) Cr.P.C. seeking cancellation of bail that has not even been granted is totally mis-conceived.

Petition is dismissed.

May 05, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE