

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.20485 of 2015(O&M)

Date of Decision:-15.01.2016

Surender @ Surinder Bansal.

.....Petitioner.

Versus

State of Haryana & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Ashutosh Gupta, Advocate for the Petitioner.

Mr. Kuldip Tiwari, Additional Advocate General, Haryana
assisted by SI Nawab Khan.

Mr. N.S. Shekhawat, Advocate for
respondent no.2-Sunil Kumar.

JASWANT SINGH, J (ORAL)

Prayer under Section 439(2) Cr.PC is for cancellation of anticipatory bail granted to the respondent no.2-Sunil Kumar in case FIR No.31 dated 17.02.2015 for offences punishable under Sections 347, 386, 506 and 34 of Indian Penal Code and Section 25 of the Arms Act vide order of learned ADJ dated 28.04.2015 (**P-1**).

The allegations against the accused Sunil Kumar are that he was a part of the gang indulging in extortion from the unknown persons including the present complainant Surender @ Surinder Bansal. The modus operandi is by laying a honeytrap.

It is contended that the accused has been wrongly granted anticipatory bail by the learned Additional Sessions Judge vide order dated 28.04.2015 (P-1) by ignoring the nature and gravity of the offence.

Reply on behalf of the respondent-accused Sunil Kumar has been filed. It has been stated that the parameters for cancellation are entirely different and there is no misuse at all of the grant of concession of the anticipatory bail by the answering respondent-accused Sunil Kumar. The submission has been made without adverting to the merits of the case.

Learned State Counsel assisted by SI Nawab Khan submits that accused has joined investigation and as such there is no misuse of grant of anticipatory bail granted by the trial Court. It is admitted that he is not involved in any other case of similar nature.

In the light of the contents of the reply, no case for interference by this Court is made out.

Dismissed.

(JASWANT SINGH)
JUDGE

January 15, 2016
Vinay