

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

**Criminal Misc. No. M-29222 of 2015
Date of Decision: 9.10.2015**

Parteek Gupta

--Petitioner.

Vs.

State of Haryana and another

--Respondents.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Amit Chaudhary, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner, by way of present petition under Section 439 (2) Cr.P.C. seeks cancellation of bail granted by the learned Additional Sessions Judge, Faridabad, vide order dated 17.4.2015 (Annexure P-5) in favour of respondent No.2.

Learned counsel for the petitioner submits that after release on bail, respondent No.2 is openly extending threats to the petitioner and his father. He also refers to the order dated 13.7.2015 (Annexure P-6), whereby bail was declined to the co-accused of the respondent. He prays for allowing the present petition.

After hearing learned counsel for the petitioner at some length, careful perusal of record of the case and giving thoughtful consideration to the arguments advanced, this Court is of the considered opinion that in the given facts and circumstances of the

case, no case for cancellation of bail granted to respondent No.2 has been made out. It is so said because so far as order dated 13.7.2015 (Annexure P-6) passed by this Court is concerned, petitioner therein namely Sunder @ Surender was the main accused and caused head injury to Ravi Gupta with an iron rod.

Further, it is also not argued case on behalf of the petitioner that after having been released on bail in compliance of the order dated 17.4.2015, respondent No.2 has misused the concession of bail. Neither the petitioner lodged any complaint before the police, nor any FIR has been registered against respondent No.2, after having been released on bail. Moreover, the impugned order dated 17.4.2015 was passed in the presence of the petitioner. No material change in the circumstances has been pointed out, which may make out a case for cancellation of bail granted to respondent No.2.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the rights of the either of the parties, no case for cancellation of bail has been made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

9.10.2015
AK Sharma

