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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: March 11, 2015

+ **CRL.M.C. 970/2015 & CrI.M.A.3627/2015**

RAJINDER PRASAD GOYAL Petitioner
Through: Mr. Vidit Gupta, Advocate

versus

STATE & ORS Respondents
Through: Mr. Vinod Diwakar, Additional
Public Prosecutor for respondent-
State with SI Vineet Kumar

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

JUDGMENT
(ORAL)

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Cancellation of pre-arrest bail granted to respondents-accused persons in FIR No.87/2015 under Sections 448/420/468/471/120-B/506/34 of IPC registered at P.S. Jafrabad, Delhi is sought on merits.

At the hearing, learned counsel for petitioner submits that the Sessions Court vide impugned order of 9th February, 2015 has granted pre-arrest bail to respondents-accused persons by observing that the dispute between the parties appears to be of civil nature and such observation is uncalled for. It is submitted that in view of the gravity of the offence, anticipatory bail ought not to have been granted to respondents-accused persons.

Learned Additional Public Prosecutor for respondent-State submits that interrogation of respondents-accused persons qua the payments made as reflected in the status report (*Annexure P-3*) is yet to be undertaken. Let it be so done. However, this would not be a ground for cancellation of pre-arrest bail granted to respondents-accused persons as it is not the case of respondent-State that respondents-accused persons are not joining the investigation of this case.

Upon hearing and on perusal of the impugned order and the copy of the status report filed before Sessions Court, I find that there was no necessity for the Sessions Court to have observed in the impugned order that the dispute is of the civil nature. It is made clear that the said observation shall have no bearing on the merits of this case.

This petition is dismissed with liberty to respondent-State to seek cancellation of pre-arrest bail granted to respondents-accused persons in the event of their not joining the investigation of this case.

This petition and the application are accordingly disposed of.

(SUNIL GAUR)
JUDGE

MARCH 11, 2015

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