

CRM-M-1858-2016

Date of Decision : 17.11.2016

Jugan Singh Chauhan

.....Petitioner

versus

State of Haryana and another

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Manoj Kaushik, Advocate
for the petitioner.

Mr. C.S. Bakhshi, Addl.A.G., Haryana.

Mr. B.R. Gupta, Advocate
for respondent No. 2.**M.M.S. BEDI, JUDGE (ORAL)**

This is a petition for cancellation of regular bail which was granted to respondent No. 2 on 09.11.2015 when the challan had been presented in a case of assault. While ordering grant of concession of bail to the petitioner, it was observed that he will not commit the similar offence during the pendency of the trial.

The grievance of the complainant/petitioner is that despite a condition imposed upon respondent No. 2, he along with his son assaulted and threatened real brother of the complainant on 17.11.2015. In support of his contention, learned counsel for the petitioner has placed on record copy of the FIR against respondent No. 2 and others registered under FIR No. 113 dated 17.11.2015.

With the assistance of learned counsel for the petitioner, I have gone through the contents of the aforesaid FIR which clearly indicates that the date of alleged occurrence is a day prior to the date of

hearing before the Court. Since the parties are inimical to each other and no grievous or simple injury is alleged to have been received by the complainant, it will be premature to express an opinion whether the registration of FIR is an act to pressurize the complainant party not to depose as witness or it is a case where an attempt has been made to cause prejudice to the liberty of respondent No. 2 by creating a false case.

Without expression of any opinion on merits of both the cases and taking into consideration the stage of the trial where out of 22 only two witnesses stand examined, I do not deem it appropriate to cancel the bail of respondent No. 2. However, the condition that he will not commit the similar offence, will remain operative during the entire period of trial.

Dismissed.

(M.M.S. BEDI)
JUDGE

17.11.2016
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No