

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-30338 of 2016

.....

Date of decision:30.8.2016

Arun Kumar

...Petitioner

v.

State of Haryana and others

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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

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Inderjit Singh, J.

This petition has been filed under Section 439(2) Cr.P.C. read with Section 482 Cr.P.C. for cancellation of anticipatory bail granted to respondents No.2 and 3 by learned Additional Sessions Judge, Kaithal vide order dated 12.8.2016 passed in case FIR No.319 dated 23.7.2016 registered for the offences under Sections 406, 420 and 506 IPC at Police Station City Kaithal, District Kaithal and praying for taking respondents No.2 and 3 into custody in the interest of justice.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that Nirmal Singh and Kulwinder Singh-respondents No.2 and 3 filed application for grant of anticipatory bail under Section 438 Cr.P.C. before the learned Sessions Judge, Kaithal and

the learned Additional Sessions Judge, Kaithal vide order dated 12.8.2016 granted the benefit of anticipatory bail to respondents No.2 and 3.

As per the prosecution version, the complainant (petitioner herein) was running a Commission Agency and accused No.1 and 2 (respondents No.2 and 3 herein) took a loan of ₹9,17,000/- from the complainant's firm. When the money was demanded, they delayed the matter. A Panchayat was convened in which they admitted their mistake and agreed to give ₹5,50,000/-. However, in spite of sufficient wait, they did not make the payment and committed criminal breach of trust and further threatened to kill the complainant when the demand of money was made.

A perusal of the impugned order passed by the learned Additional Sessions Judge, Kaithal, shows that no illegality has been committed by the Court while granting the benefit of anticipatory bail in the facts and circumstances of the case. No ground is made out for cancellation of the anticipatory bail. Nothing has been argued that accused-respondents No.2 and 3 are misusing the concession of anticipatory bail.

Therefore, from the above, I do not find any merit in this petition and the same is dismissed.

August 30, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No