

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

CRM-M-37750-2014 (O&M)

Date of decision : 06.09.2016

Naranjan Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Satbir Rathore, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Shamsher Singh.

Mr. KBS Mann, Advocate for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 439(2) of the Code of Criminal Procedure (for short, 'the Cr.P.C.') for cancellation of anticipatory bail granted by this Court vide order dated 18.09.2014, to the private respondent in FIR No.37 dated 09.04.2014, registered under Sections 323 and 326 read with Section 34 of the Indian Penal Code, at Police Station Dasuya, Distt. Hoshiarpur.

Heard learned counsel for the parties.

It is contended on behalf of the petitioner that accused-respondent No.2 after having been granted pre-arrest bail by this Court, has been extending threats to the petitioner. One such incident took place on

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08.10.2014, when the accused tried to hit the petitioner with an iron rod. The matter was brought to the notice of the police authorities vide Annexures P-7 and P-8. It is further contended that the accused-respondent is a habitual offender and involved in a number of cases.

Short reply by way of affidavit of the Senior Superintendent of Police, Hoshiarpur, in terms of order dated 09.08.2016, filed in the Court, is taken on record. A perusal of the reply reveals that applications Annexures P-7 and P-8 with regard to the alleged incident of 08.10.2014, were inquired into by the police and finding no substance therein, the same were recommended to be filed. During the inquiry, statements of respectable persons of the village were recorded which reveal that no such incident took place.

The bail order of respondent No.2 was passed in the presence of learned counsel for the petitioner. Nothing has been brought on record to substantiate the fact that respondent No.2 is misusing the concession granted to him which may warrant recalling of his bail order.

In this view of the matter, the instant petition is dismissed at this stage.

Dismissed.

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No