

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

CRM No.M-4067 of 2016 (O&M)

Date of Decision: August 24, 2016

Harvinder Singh and another

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Manoj Kaushik, Advocate
for the petitioners.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 439(2) Cr.P.C. for cancellation of regular bail granted to respondent No.2 Rajinder Singh Kohli vide order dated 6.02.2013 passed by learned Sessions Judge, Yamuna Nagar at Jagadhri in case FIR No.7 dated 31.01.2012 under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC registered at Police Station Sadar, Jagadhri, District Yamuna Nagar, as there are cogent and overwhelming circumstances which necessitates the cancellation of bail on account of the conduct of respondent No.2 after the regular bail has been granted to him, as respondent No.2 has misused the bail and has again committed forgery by forging the documents and produced the same before this Court etc.

I have heard learned counsel for the petitioners and have gone

through the record.

From the record, I find that the bail was granted to respondent No.2 Rajinder Singh Kohli vide order dated 16.02.2013 as stated in the petition itself. 3 years and 6 months have already passed. The trial is going on. Nothing has been argued that whether respondent No.2 has committed breach of any terms and condition of the bail order. There is nothing that respondent No.2 has misused the concession of bail and absented from the proceedings. There is nothing on the record that after the grant of bail, respondent No.2 has tampered with the evidence of the prosecution or gave threats or put pressure on any of the witness for not supporting the prosecution case etc.

The mere fact that petitioners allege that respondent No.2 has forged some documents and has filed petition before this Court, is no ground to cancel the bail. There is no finding of any Court at this stage holding that documents have been forged. The petitioners have the independent remedy, if any document has been forged in the petition before this Court.

In view of the above discussion, I do not find any ground to cancel the bail granted to respondent No.2.

Therefore, finding no merit in the present petition, the same is dismissed.

August 24, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No