

CRM-M-22443-2017

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

CRM-M-22443-2017

Date of Decision:14.09.2017

Jasbir Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rajender Singh Duggal, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

Mr. Deepak Bhardwaj, Advocate,
for respondent No.4.

INDERJIT SINGH, J.

Petitioner-Jasbir Kaur has filed this petition under Section 482 read with Section 439 (2) Cr.P.C. for cancellation of bail granted to respondent No.4, vide order dated 06.06.2017 passed by learned Additional Sessions Judge, Patiala, in FIR No.45 dated 18.04.2017, registered at Police Station Julkan, District Patiala, under Sections 324, 323, 506, 379, 148 and 149 of IPC and Section 326 of IPC added later on.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of respondent Nos.1 to 3 and respondent No.4 has also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

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From the record, I find that it is admitted case that earlier, the FIR was registered under Sections 324, 323, 506, 379, 148 and 149 of IPC and respondent No.4 was arrested under the aforesaid sections and was released on regular bail by the court. However, the offence under Section 326 of IPC was added later on, on the same facts. Learned Additional Sessions Judge, Patiala granted anticipatory bail to the petitioner under Section 326 of IPC also.

Learned counsel for the petitioner argued that learned Additional Sessions Judge, Patiala should not have granted anticipatory bail to the petitioner.

Keeping in view the facts and circumstances of the present case, I find that respondent No.4-Bhag Singh has already been arrested and released on regular bail by the court qua the same occurrence and, therefore, no useful purpose will be served by sending him again to custody after the addition of Section 326 of IPC. Moreover, trial of the case will take a long time.

From the above, I find that the order passed by learned Additional Sessions Judge, Patiala is correct one. No ground is made out for cancellation of bail of respondent No.4.

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

14.09.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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