

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-16460 of 2017
Date of Decision: 14.05.2018

Dharampal

....Petitioner

VERSUS

State of Haryana and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Mohit Rahtore, Advocate
for Mr. J.P. Jangu, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

Mr. P.R. Yadav, Advocate
for respondents no. 4 and 5.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 (2) Code of Criminal Procedure for cancellation of bail allowed to respondents no. 4 and 5 vide order dated 16.02.2017 passed in CRM-M-40992 of 2016 in case bearing FIR No. 267 dated 04.07.2016 registered for the offence punishable under Section 379 of Indian Penal Code (for short, "IPC") at Police Station Pataudi, District Gurgaon.

Heard.

Learned counsel for the petitioner submits that bail was allowed to respondents no. 4 and 5 on the affidavit of Dilbagh Singh son of Dharampal wherein he has stated that engine of the bus was got replaced by complainant himself. Now Dilbagh Singh has given another affidavit wherein he has stated that his earlier affidavit was obtained by respondents no. 4 and 5 after administering some intoxicant. In this affidavit, he has

also stated that Mohar Singh son of Banwari resident of Behror, District Alwar (Rajasthan) has sold the aforesaid bus to Dharampal.

The dispute in this case appears to be regarding title over the bus and the matter is still under investigation. No reason is made out to cancel the bail allowed to respondents no. 4 and 5.

The instant petition has no merit and the same is dismissed.

May 14, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No