

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

CRM-M-18358-2018

Date of decision: 7.12.2018

Bhupinder Kumar Sharma

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.Tribhawan Singla, Advocate for the petitioner

Mr.Vikas Mohan Gupta, Addl.AG, Punjab
assisted by SI Paramjit Kaur

Mr.Naveen Batra, Advocate for respondent No.2.

JITENDRA CHAUHAN, J.

The present petition under Section 439(2) Cr.P.C. has been filed for cancellation of bail granted to respondent No.2 vide order dated 11.8.2016 in case FIR No. 96 dated 16.5.2015, registered under Sections 406, 420 and 120-B of IPC at Police Station Zirakpur, District SAS Nagar.

Heard.

Respondent No.2 was admitted to anticipatory bail vide order dated 11.8.2016 on the assertion that in case he is admitted to bail, he will try and arrange the land, which is contiguous to the land of the complainant so that the purpose of the complainant could be served. When no steps pursuant to the undertaking were taken and after waiting for about two years, the complainant has approached this Court by way of the present

petition. On the last date of hearing, learned counsel for respondent No.2 made a statement that he will arrange and offer the land contiguous to the land of the petitioner-complainant within two weeks in terms of the undertaking made on 1.9.2015, but till date no steps have been taken. He has circulated a chart, which does not reflect the ownership of anybody indicating the area transferred to the petitioner-complainant.

In this view of the matter, the Court feels that this is not sufficient compliance of the undertaking made by respondent No.2 on 1.9.2015, which appears that he has scant regard for the orders passed by the Court. As such, the present petition is allowed and the anticipatory bail granted to respondent No.2 vide order dated 11.8.2016 passed in CRM-M-30495-2015 is cancelled.

Registry is directed to send a copy of this order to the releasing Court.

7.12.2018
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No