

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

CRM-M No.20170 of 2015 (O&M)

Date of Decision: 09.05.2018

Surender Bansal

....Petitioner

Versus

State of Haryana and another

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. S.S. Kamboj, Advocate
for the petitioner.

Mr. Sanjay Kumar Saini, A.A.G., Haryana.

Mr. Avishek, Advocate
for respondent No.2.

DAYA CHAUDHARY, J. (ORAL)

Petitioner has approached this Court under Section 439(2) Cr.P.C for cancellation of anticipatory bail granted to respondent No.2 in case FIR No.31 dated 17.02.2015 registered under Sections 347, 386, 506/34 IPC and Section 25 of the Arms Act, 1959 at Police Station Pinjore.

Notice of motion in the case was issued on 19.06.2015. Thereafter, in response to notice of motion, reply has been filed.

Learned State counsel submits that one petition bearing **CRM-M No.20485 of 2015** was filed by the petitioner qua cancellation of anticipatory bail granted to co-accused Sunil Kumar in the same FIR and the said petition has been dismissed on 15.01.2016. A photocopy of said order has also been placed on record.

Learned counsel for the petitioner submits that earlier petition

filed by the petitioner was dismissed only on the ground that the accused has joined the investigation and there was no misuse of grant of anticipatory bail but in the present case, respondent No.2 has not joined the investigation.

Learned State counsel submits that respondent No.2 has already joined the investigation. She got anticipatory bail on 18.03.2015 but thereafter, she did not join the investigation. Thereafter, respondent No.2 was arrested on 16.05.2016 and was produced before the Court of Chief Judicial Magistrate, Panchkula and was sent in judicial custody. Subsequently, respondent No.2 was released on bail vide order dated 27.05.2016.

Heard the arguments of learned counsel for the parties and have also perused the documents available on the file.

Admittedly, the petitioner has filed this petition for cancellation of anticipatory bail granted to respondent No.2 vide order dated 18.03.2015, whereas, she was released on bail on 27.05.2016. Accordingly, there is no reason to interfere with the order.

The petition is accordingly dismissed as infructuous.

(DAYA CHAUDHARY)
JUDGE

09.05.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No