

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

CRM-M-24288-2017

Date of decision: 16.04.2018

Jyoti Mehta

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR.

Present: Mr. Imran, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

Mr. Shakti Kaushik, Advocate
for respondent No. 2.

JAISHREE THAKUR, J.

1. The instant petition has been filed under Section 439 (2) read with Section 482 Cr.P.C. for cancellation of bail granted to accused/respondent No. 2 in FIR No. 06 dated 06.09.2015 under Section 354-A, 354-C, 506, 452 IPC registered at Police Station Yamunanagar.

2. The brief facts of the case are that the petitioner filed aforementioned FIR in which respondent herein was granted regular bail by an order dated 30.09.2015. Thereafter, the petitioner filed the instant petition seeking cancellation of the said bail on the ground that she apprehends danger to her life and liberty at the hands of accused/respondent No. 2 and infact had already moved a complaint to SSP, Yamunanagar to take appropriate action against him. It was also argued that the petitioner herein is facing continuous threat at the hands of the accused/respondent No. 2 to withdraw the FIR

the bail.

3. A reply has been filed on behalf of respondent-State denying receipt of any letter/representation by the petitioner herein apprehending danger to her life and liberty whereas counsel for the respondent No. 2 submits that all allegations as set out in the petition are false and as no such threat has been made to the petitioner nor has there any attempt to influence her to withdraw the FIR.

4. Learned counsel for the respondent no 2 also submitted that the entire trial has been held up on account of the fact that the prosecutrix petitioner herein is not coming forth to lead the evidence and is seeking adjournment needlessly.

5. I have heard counsel for the parties and have perused the record.

6. Admittedly, respondent No. 2 had been allowed bail by an order dated 30.09.2015. However, nothing has been produced on the record to substantiate the claim of the petitioner that she is being harassed by the respondent No. 2 the accused, nor has it been brought to the notice of the Court as to how the respondent has misused the bail granted. The reply of the respondent-State reflects that no complaint has been received regarding any harassment faced by the petitioner.

7. In view of the above and taking note of the fact that the petitioner herself is delaying the proceedings, no ground is made out for cancellation of the bail granted.

8. Petition stands dismissed.

16.04.2018

Harish Kumar

(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No