

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

CRM No.M-26127 of 2018 (O&M)

Date of Decision: July 02, 2018

Muktesh Rathee

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sanjiv Sheoran, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439(2) Cr.P.C. for cancellation of anticipatory bail granted to respondent No.2 by this Court in case FIR No.410 dated 17.08.2016 under Sections 419, 420, 467, 468, 471 and 506 IPC, registered at Police Station City Bahadurgarh, District Jhajjar.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that the present petitioner, is the complainant in the FIR. The main grievance of the petitioner is that, at the time of arguments in the anticipatory bail petition filed by respondent No.2., present petitioner, on the basis of compromise, did not raise any objection but when the petition for bail of present petitioner, in another case, was being heard, then respondent No.2-Parveen Kumar refused to give the

statement for granting bail to the present petitioner.

I have gone through the order dated 23.09.2016 passed by this Court while granting anticipatory bail to present respondent No.2. Though, this fact has been mentioned in the order that present petitioner being complainant has not raised any objection but the bail has been granted to respondent No.2 on merits also by stating that case is based on documentary evidence and respondent No.2 is not required for custodial interrogation. There is no allegation in the present petition that respondent No.2 is tampering with the evidence or violating any term and condition of the order.

Keeping in view the facts and circumstances of the present case, I do not find any ground to cancel the bail granted to respondent No.2 by this Court.

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

July 02, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No