

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

CRM-M-33467-2017 (O&M)

Date of Decision: 30.10.2018

Sanjeev Kumar Gupta

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. H.S. Deol, Senior Advocate with
Mr. Rohit Kaushik, Advocate for the petitioner.

Ms. Sudeepti Sharma, Addl. A.G. Punjab.

Mr. Nakul Sharma, Advocate for respondent No.2.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

The instant petition has been filed under Section 439(2) Cr.P.C. seeking cancellation of anticipatory bail that had been granted in favour of respondent No.2 by this Court in terms of order dated 22.02.2017 in CRM-M-4192-2017 in case FIR No.108, dated 08.06.2012, under Sections 406/420 IPC, registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib.

It has been strenuously argued by learned senior counsel that the concession of pre-arrest bail had been procured by the petitioner by making a factually incorrect statement. It has been submitted that respondent No.2/accused was all through aware of registration of the FIR and has only taken advantage of a situation wherein two addresses have been furnished i.e. one at Ludhiana and the other at Gurgaon.

Be that as it may, there is no dispute with regard to the fact that respondent No.2/accused in pursuance to the order dated 22.02.2017 had

joined investigation. Even challan has been presented and charges have been framed on 10.06.2017. Trial is now at the stage of prosecution evidence.

Even the contention noticed by this Court in the order dated 22.02.2017 as regards addresses of petitioner having been reflected at Gurgaon in his passport, Adhar Card and LPG connection documents is not factually incorrect. It has also been conceded that the notice with regard to proclamation proceedings had been issued on a address relating to Ludhiana City.

In view of the above, this Court is not inclined to accept the prayer made in the instant petition with regard to cancellation of concession of anticipatory bail.

Petition is dismissed.

30.10.2018*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |