

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

CRM M-37377 of 2017

Date of Decision: March 12, 2018

Reeta Gulati	Versus	Petitioner
Sanjiv Jain and others		 Respondents

CORAM : HON'BLE MR. JUSTICE T.P.S.MANN

Present : Mr. Shubham Kaushik, Advocate for
Mr. Vinod S. Bhardwaj, Advocate
for the petitioner.

Mr. Aayush Gupta, Advocate
for respondents No. 1 and 2.

Mr. Gaurav Garg Dhuriwala, Sr. Deputy A.G., Punjab.

T.P.S.MANN, J. (Oral)

Prayer made in the application filed by complainant
Smt. Reeta Gulati is for cancelling the bail granted by this Court
to respondents No. 1 and 2 on 1.7.2014.

Respondents No. 1 and 2 are being tried in FIR No.
115 dated 12.5.2014 registered under Sections 406, 419, 420 and
120-B IPC at Police Station Focal Point, Ludhiana City. Vide order
dated 1.7.2014, this Court had ordered their release on bail.
Subsequently on 16.2.2015, FIR No. 77 under Sections 448,

323, 511, 506, 148 and 149 IPC was registered at Police Station Focal Point, District Ludhiana, wherein respondents No. 1 and 2 and their party men were arraigned as accused. Vide order dated 17.11.2017, a Co-ordinate Bench of this Court accepted the petition filed by the respondents No. 1 and 2 besides others after holding that the said FIR was nothing but an abuse of process of law and amounting to miscarriage of justice. Accordingly, FIR No. 77 dated 16.2.2015 stands quashed.

Once the very FIR pursuant to which the bail of respondents No. 1 and 2 was sought to be cancelled has been quashed by a Co-ordinate Bench of this Court, no ground is made out to cancel their bail earlier granted to them by this Court vide order dated 1.7.2014.

The application is without any merit and, therefore, dismissed.

March 12, 2018
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(T.P.S. MANN)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No