

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-40606 of 2018

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Date of decision:15.11.2018

Rajesh Kumar

...Petitioner

v.

State of Haryana and another

...Respondents

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(2) Criminal Misc. No.M-40873 of 2018

.....

Rajesh Kumar

...Petitioner

v.

State of Haryana and another

...Respondents

.....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Bhupinder Ghai, Advocate for the petitioner.

Mr. Sukhdeep Parmar, Deputy Advocate General, Haryana
for the respondent-State.

Mr. Lovish Mittal, Advocate for respondent No.2 in both the
petitions.

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Inderjit Singh, J.

This order will dispose of the above mentioned two petitions
filed under Section 439(2) Cr.P.C. for cancellation of anticipatory bail

granted to accused-respondents Ram Niwas and Brahampal alias Brahmpal by this Court vide order dated 11.7.2018 (Annexure-P.2) in case FIR No.137 dated 31.10.2017 for the offences under Sections 120-B, 342, 392, 406, 452, 467, 468, 471 and 506 IPC and Section 25 of the Arms Act, 1959 at Police Station Bapoli, District Panipat.

Notice of motion has been issued in these cases.

Mr. Sukhdeep Parmar, learned Deputy Advocate General, Haryana has appeared on behalf of the respondent-State and Mr. Lovish Mittal, learned Advocate has appeared for accused-respondents and contested these petitions.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that main contention of the learned counsel for the petitioner for cancellation of the anticipatory bail to Ram Niwas and Brahampal alias Brahmpal accused-respondents is that after the grant of anticipatory bail they had again attacked upon the petitioner-complainant for which separate FIR has been registered.

The learned State counsel has filed the reply and also brought it to my notice that second FIR regarding assault on the petitioner-complainant after the grant of anticipatory bail has already been cancelled by the Police after investigation. The base for cancellation of anticipatory bail is the second FIR which the Police has already cancelled.

Therefore, keeping in view the facts and circumstances of the the cases, I find that no ground is made out for cancellation of anticipatory bail granted to the accused-respondents vide order dated 11.7.2018. No

other argument has been addressed by the learned counsel for the petitioner
for cancellation of bail.

Therefore, finding no merit in these petitions, the same are
dismissed.

November 15, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No