

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

CRM-M-41023-2018 (O&M)

Date of decision : 27.11.2018

Jasmine Kaur

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Dhiraj Chawla, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

Mr. Karanjeet Singh Brar, Advocate
for respondent No. 2.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Heard.

Present petition has been filed under Section 439(2) of the Code of Criminal Procedure for cancellation of bail granted to respondent No.2-Varinder Pal Singh Hayer (Kaka Chakra) by learned Additional Sessions Judge, Fazilka vide order dated 10.4.2018 (Annexure P-4) in case FIR No. 16 dated 30.3.2018 under Sections 419,420, 465, 467, 468, 471 and 120-B of the Indian Penal Code registered at Police Station Khuhian Sarwar, District Fazilka (Annexure P-3).

Learned counsel for the petitioner contends that in the impugned order dated 10.4.2018 (Annexure P-4), learned Additional Sessions Judge, Fazilka has held that petitioner in that case is merely an attesting witness, however, he is the main kingpin and has committed forgery.

I am of the view that the reasoning may differ but the fact remains that all the offences are triable by the Magistrate. The trial of the case is going on and is yet to be decided on merits. Therefore, there is no ground to cancel the bail even if it is assumed that there is some clerical error in the order.

Dismissed.

(KULDIP SINGH)
JUDGE

27.11.2018
preeti

Whether speaking / reasoned	Yes
Whether Reportable:	No