

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

Crl. Misc. M-41850 of 2017 (O&M)

Date of Decision: April 03, 2018

Rajender Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P.B.S. Goraya, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG Haryana.

Ms. Nupur Chaudhary, Advocate
for respondents No.2 and 3.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 439(2) read with Section 482 of Cr.P.C. for cancellation of bail granted to respondents No.2 and 3 by this court vide a common order dated 27.09.2017 passed in CRM-M-35507 of 2017 and CRM-M-35520 of 2017 in case FIR No.35 dated 06.04.2017, under Sections 306, 34 of Indian Penal Code, registered at Police Station Sonipat, District GRP Ambala Cantt.

Learned counsel for the petitioner argues that both respondents No.2 and 3 have procured bail by misleading the court to the extent that they were staying separately from the deceased's family and were not having any concern with the matrimonial life of the deceased and her children. It is

submitted that respondents No.2 and 3 had wrongly claimed that they were staying separately at House No.561/1 in the same colony whereas, the deceased was staying at House No.1123/1 with her husband and children. In fact, the deceased and respondents No.2 and 3 were staying in the same house, because house No.561/1 and house No.1123/1 is one and the same house.

Per contra, learned counsel appearing on behalf of respondents No.2 and 3 contends that the instant petition has been filed only to harass respondent No.2 and 3, while submitting that the grounds so taken by the petitioner are baseless.

I have heard learned counsel for the parties, apart from perusing the record.

In the instant case, respondent No.1-State has filed reply by way of affidavit of Subhash Chand, HPS, Deputy Superintendent of Police, State Crime Branch, Rohtak, in which it is stated that *“factum with regard to house No.1123/1 and House No.561/1 was verified from Municipal Corporation, Sonipat. The Municipal Corporation vide its letter No.360/2 dated 17.01.2018 has informed that house No.561/1 as per record of survey for the year 2015-16 is recorded in the name of Karambir son of Lakhi Ram, 561/1, Jatwara Extension, Sonipat vide I.D. No.73C278U11 and that as per record the unit pertaining to I.D. Nos.73C28U161 and 73C278U11 are situated separately and this information has been provided by the above said authority as per record of property tax recovery.”*

In view of the above reply that both the alleged houses are situated separately, no ground is made out to cancel the bail granted to

respondents No.2 and 3. As such, the petition in hand stands dismissed, being devoid of any merits.

April 03, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No