IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-55192-2018 (O&M)
Date of decision : 15.12.2018

Gulshan ..... Petitioner

Versus

State of Haryana and another ..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Avneet Kaur Brar, Advocate for the petitioner.

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.

Petitioner seeks cancellation of regular bail granted to respondent No. 2 vide order dated 19.11.2018 (Annexure P-2), passed by learned Additional Sessions Judge, Hisar in case FIR No. 283 dated 15.4.2016, under Section 302/307/148/149 of the Indian Penal Code and Section 25 of the Arms Act, 1959 (Sections 54/59 of the Act added later on), registered at Police Station City Hansi, District Hisar (Haryana), (Annexure P-1).

I have gone through the impugned order dated 19.11.2018 (Annexure P-2) vide which bail was granted to respondent No. 2-Gaurav @ Monu on three grounds i.e., *firstly*, trial is going on and respondent No. 2 is in custody since 18.4.2016 till date; *secondly*, all the main witnesses have been examined and *thirdly*, all the remaining accused have been granted bail by the High Court. Trial Court has already put stringent conditions numbering about 9.

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Therefore, patently there is no illegality or infirmity in the order dated 19.11.2018 (Annexure P-2), passed by learned Additional Sessions Judge, Hisar and no ground is made out to cancel the bail already granted to respondent No. 2.

Learned counsel for the petitioner further contends that petitioner was threatened by respondent No. 2, therefore, his bail should be cancelled. I am of the view that if it is the case of the petitioner, the conditions of bail have been violated, let the petitioner move to learned Additional Sessions Judge, Hisar along with the said grievance and the learned Additional Sessions Judge, Hisar is to examine the said issue as per law.

Dismissed.

(KULDIP SINGH)
JUDGE

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Whether speaking / reasoned Yes
Whether Reportable: No

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