

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

**CRM No.M-11455 of 2019 (O&M)
Date of Decision: March 13, 2019**

Yashvir

...Petitioner

VERSUS

Naveen and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Nihul Pratap Singh, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439(2) Cr.P.C. read with Section 482 Cr.P.C. for cancellation of anticipatory bail granted to respondents No.1 and 2 by learned Addl. Sessions Judge, Palwal, vide order dated 17.08.2018 in case FIR No.519 dated 18.07.2018 under Sections 380 and 457 IPC, registered at Police Station Sadar Palwal, District Palwal.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that FIR was got registered by the petitioner regarding theft in night. As per the FIR, complainant and his family slept after closing all the doors. In the morning, Bimla Devi wife of complainant got up and saw that lock of the room was open and lock joint

was found broken and articles were lying scattered and gold ornaments and cash amount of ₹3 lakhs was stolen. It is stated by the complainant that they have suspicion that Naveen, Akash, Nishant and other 2-3 persons have committed this Act as two days back, they had altercation with them regarding passage leading to their houses. Akash and Naveen threatened the complainant party that they will be taught a lesson.

Learned Addl. Sessions Judge, Palwal, vide order dated 17.08.2018, granted anticipatory bail to the accused-respondents. Learned counsel for the petitioner has not pointed out anything as to why bail granted to accused-respondents should be cancelled except that petitioner has shown suspicion against private respondents that they have committed the theft. Learned Addl. Sessions Judge, Palwal, discussing all the facts that the perusal of the police file reveals that certain persons of locality have joined the investigation and claimed that all the allegations are false. The Court also take note of the dispute between the parties over the passage (rasta) and the Court further held that allegation of committing crime by them in the night by entering into house of complainant has to be looked into with caution and in view of the fact that no evidence has been collected regarding the crime, anticipatory bail has been granted.

Learned counsel for the accused-respodents has also argued before learned Addl. Sessions Judge, Palwal that on the same day, a complaint of assault was given against the complainant-petitioner by the accused.

In view of the above discussion, I find that no ground is made for cancelling the anticipatory bail granted to the accused-respondents by

Therefore, finding no merit in the present petition, the same is dismissed.

March 13, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No