

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

CRM-M-14736 of 2019.

Decided on:- April 03, 2019.

Kamlesh Sharma.

.....Petitioner.

Versus

State of Haryana and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Viresh B. Saharya, Advocate for
Mr. Vishal Yadav, Advocate for the petitioner.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 read with Section 439(2) Cr.P.C. is for cancellation of bail granted to respondent No.2 in FIR No.636 dated 11.08.2017 under Sections 326-A, 195-A, 120-B, 201, 341 and 506 read with Section 34 IPC registered at Police Station Camp Palwal vide order dated 06.11.2018 passed by learned Additional Sessions Judge, Palwal.

Learned counsel for the petitioner has argued that there is a likelihood that respondent No.2 may misuse the concession of bail granted to her. In support of his contentions, he has relied upon *Ash Mohammad Versus Shiv Raj Singh 2012(9) SCC 446*; *State of U.P. Versus Amarmani Tripathi (2005) 8 SCC 21*; *Ms. X Versus State of Telengana 2018 AIR (SC) 2466*; *Ranjit Singh Versus State of M.P. (2013) 16 SCC 797*; *Kanwar Singh Meena Versus State of Rajasthan (2012) 12 SCC 180*; *Neeru Yadav Versus State of U.P. (2014) 16 SCC 508*; *CBI Versus Subramani Gopalakrishnan*

(2011) 5 SCC 296; Abdul Basit Versus Mohd. Abdul (2014) 10 SCC 754 and Mallikarjun Kodagali (dead) represented through legal representatives Versus State of Karnataka and others (2019) 2 SCC 752.

Having heard learned counsel for the petitioner and perusing the impugned order dated 06.11.2018 passed by learned Additional Sessions Judge, Palwal, this Court finds that respondent No.2 was taken in custody since 23.10.2018 and she was admitted on bail on 06.11.2018. The trial in the case will take sufficient long time and the antecedents of respondent No.2 have been taken note by learned Additional Sessions Judge while admitting her on bail.

The judgments cited by learned counsel for the petitioner are not relevant in the facts and circumstances of the present case, as the petitioner has nowhere been able to show any instance that respondent No.2 has misused the concession of bail granted to her. Mere apprehension shown by the petitioner is no ground to cancel the bail granted to respondent No.2.

Therefore, this Court finds that no ground is made out for cancellation of bail granted to respondent No.2 vide order dated 06.11.2018 passed by learned Additional Sessions Judge, Palwal.

Accordingly, the present petition is dismissed with costs of Rs.10,000/-.

April 03, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No