

CRM-M-35107-2018 (O&M),
CRM-M-35270-2018 (O&M) and
CRM-M-35276-2018 (O&M)

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

1. CRM-M-35107-2018 (O&M)
Date of decision : 21.05.2019

Sarabpal Singh ...Petitioner

Versus

Abhey Shukla and others ...Respondents

2. CRM-M-35270-2018 (O&M)
Date of decision : 21.05.2019

Sarabpal Singh ...Petitioner

Versus

Sandeep Singh and another ...Respondents

3. CRM-M-35276-2018 (O&M)
Date of decision : 21.05.2019

Sarabpal Singh ...Petitioner

Versus

Inderjit Singh and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mohit Jaggi, Advocate for the petitioner
(In all the petitions)

Mr. Ramdeep Pratap Singh, DAG, Punjab.

Mr. P.S. Paul, Advocate for respondent No.1
(In CRM-M-35276-2018)

Mr. Deepak Bhardwaj, Advocate

ANIL KSHETARPAL, J. (ORAL)

By this order, three aforesaid criminal miscellaneous petitions
for setting aside order of grant of anticipatory bail shall stand disposed of.

After hearing learned counsel for the parties, this Court is of the considered view that it would be more appropriate to remit the matter back to the learned Sessions Court to re-decide the application for grant of anticipatory bail. It may be noted that in the present case, anticipatory bail was granted by the learned Sessions Court on the statement of Investigating Officer disclosing the value of the alleged property stolen to be ₹1,20,000/-. Later on, the State as well as complainant filed an application for cancellation of bail granted on the ground that the Investigating Officer had wrongly disclosed the value of the stolen property to be ₹1,20,000/- whereas its actual value was ₹25,00,000/-.

Without commenting on the merits of the case and keeping in view the fact that second application was filed by the State itself, it is considered appropriate to request learned Sessions Judge to pass order afresh within a period of one month from today without being influenced by the previous orders by it. Needless to observe that learned Sessions Judge would pass the order independently and without being influenced by the observations made in this order.

Consequently, order dated 17.07.2018 shall stands set aside.

Accordingly, all the petitions are disposed of.

In the meantime, interim protection granted shall continue to operate.

21.05.2019

Pawan

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No