

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

207

**CRM-M-40888-2018
DATE OF DECISION: 08.05.2019**

SULAKHAN SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jasjeet Singh Dhaliwal, Advocate for the petitioner(s).

Mr. Amit Mehta, Senior DAG, Punjab

Mr. K.D.S. Sodhi, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

This petition is for cancellation of bail granted to respondent No.2 vide order dated 13.07.2018 in FIR No.33 dated 27.06.2018, under Sections 458 and 380 (Section 459 added later on), registered at Police Station Bholath, District Kapurthala.

Learned counsel for the petitioner states that the petitioner/complainant has suffered injuries in the occurrence and articles were taken away by the accused and therefore the respondent No.2 was not entitled to bail.

Learned counsel for respondent No.2, however, contends that respondent No.2 was named in the FIR to the extent that he was standing near the jeep, when the unknown persons had entered the residence of the petitioner and took away gold jewellery including gold ring, gold earrings and cash.

I have heard learned counsel for the parties.

The respondent No.2, no doubt, has been named in the FIR but no active role has been assigned to him in the FIR and he was only standing near the jeep when unknown persons were stated to have entered the house of the petitioner/complainant and had taken away the articles. It is not a case that respondent No.2 has misused the concession of bail and, therefore, I do not find any good ground to cancel the anticipatory bail granted to respondent No.2.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

08.05.2019.
SwarnjitS