

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39689 of 2019

Date of Decision: 18.11.2019

Ravi Chabra

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Tejinder Pal Singh, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G. Punjab.

Mr. Mohd. Arshad, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Notice of motion having been issued in this petition on 18.09.2019, with no interim order was passed in favour of the petitioner. Thereafter, on September 25, 2019, the following order had been passed:-

“Upon notice of motion being issued, without any interim order having been passed in favour of the petitioner, learned counsel appearing for the complainant submits that the petitioner having duped the complainant, he does not deserve the concession of anticipatory bail, with learned State counsel however seeking time to file a detailed reply to the petition.

Upon query to learned counsel for the petitioner as to whether indulging/investing in the kind business that the petitioner is alleged to have been running, is a legal activity, he admits that it is not legal at all.

That being so, obviously the petitioner would not be entitled to the concession of anticipatory bail. However, in the opinion of this

Court, the question would still remain as to whether any recovery of money, if eventually made from the petitioner, can actually be claimed by the complainant, or it is to be forfeited to the State.

All learned counsel for the parties would address arguments on that question, and to enable learned State counsel to file a detailed reply, also answering the aforesaid question, adjourned to 18.11.2019.”

Today an affidavit of Shri Yashpal Singh, Deputy Superintendent of Police, Palwal, has been filed by learned State counsel, a copy of which has been given to learned counsel for the petitioner.

The affidavit is ordered to be taken on record.

Learned State counsel submits that as a matter of fact a cancellation report has been prepared to be submitted to the competent court, but learned counsel for the petitioner submits that he may be permitted to withdraw this petition. However learned counsel for the complainant today submits that though the complainant has turned hostile, there are 10 to 15 persons who are aggrieved of the action of the petitioner.

Even while “re-observing” what has been observed in the penultimate paragraph of the order dated September 25, 2019, without making any comment on the rights of any other persons qua any grievance against the petitioner, this petition is ordered to be dismissed as withdrawn.

November 18, 2019
dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.