

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48873-2019 (O&M)

Date of Decision: 28.11.2019

Mahabir Singh

.. Petitioner

Vs.

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jitender Dhanda, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

CRM-36980-2019

Application is allowed subject to all just exceptions. Annexure

P-7 is taken on record.

CRM-M-48873-2019

This petition has been filed under Section 439(2) Cr.P.C. for cancellation of anticipatory bail granted to respondent No.2 by this Court vide order dated 23.10.2019 in a case FIR No.115 dated 01.04.2019, under Sections 406 and 420 IPC, registered at Police Station Sadar, District Fatehabad.

Learned counsel for the petitioner contends that on 26.10.2019, the petitioner was called at petrol pump by respondent No.2 to settle the accounts and when he reached there, respondent No.2 along with his wife, brother's wife and 3-4 girls jointly attacked on him. It has been contended that concession of pre arrest bail granted to respondent No.2 vide order dated 23.10.2019 has been misused. Learned counsel further submits that he has also filed a complaint before the SHO, P.S. Sadar Hisar, however, no action has been taken till date.

After hearing learned counsel for the petitioner and perusing the case file, this Court finds that no specific allegations have been alleged against respondent No.2 and there is no mention that the concession of pre arrest bail was misused by the petitioner. It is also not disputed that in the complaint (Annexure P-6), the allegations are regarding verbal altercation and no cognizance has been taken by the police so far.

In view of above, this Court does not find any valid reason to exercise the jurisdiction under Section 439(2) Cr.P.C.

Resultantly, the petition is dismissed.

28.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No