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

CRM-M-26501-2021

Date of Decision: 13.07.2021

Yadvinder Singh

.. Petitioner

Vs.

Gurcharan Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gautam Kaile, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 (2) Cr.P.C seeking cancellation of regular bail granted to respondent No.1-Gurcharan Singh, by the trial Court vide order dated 05.03.2021 (Annexure P-1), in case FIR No.35 dated 21.01.2021 under Sections 308, 323, 325 and 506 IPC, 1860, registered at Police Station KUK.

Learned counsel for the petitioner has argued that the prosecution has deliberately not incorporated the offence punishable under Section 307 IPC and instead, charge-sheeted the accused for the offence punishable under Section 308 IPC. He has further contended that the accused after getting the concession of bail, is threatening the petitioner and is pressurizing him to compromise the matter. According to him, the concession of bail extended to the accused deserves to be cancelled.

During the course of hearing, it is not disputed by learned counsel that in respect of the alleged threats by accused, no complaint has been made to the police. Apart from it, it is also conceded by him that after considering the final report, the trial Court has framed the charges.

After hearing the learned counsel, this Court does not find any material on record to show that the concession of bail extended to the accused has been misused. The prayer made by the petitioner for cancelation of bail has already been dismissed by Court of Sessions vide order dated 21.02.2021.

Resultantly, no ground is made out for exercise of jurisdiction under Section 439 (2) Cr.P.C. for cancellation of bail.

Dismissed.

13.07.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No