

In virtual Court

CRM-M-23301-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23301-2019 (O&M)
Date of decision: 16.07.2021

Kuldip Singh

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for cancellation of anticipatory bail granted to respondents No.2 & 3 by the Additional Sessions Judge, Narnaul vide order dated 16.03.2019, in FIR No.361 dated 12.12.2018 under Sections 379, 427, 447, 506, 34 IPC, registered at Police Station Sadar Narnaul, District Mahendergarh.

A perusal of last few orders shows that there was no representation on behalf of the petitioner. Similar was the position on the last date of hearing.

Reply by way of affidavit of Deputy Superintendent of Police, Kanina, District Mahendergarh is on record. In this affidavit, it is stated that FIR was registered on a complaint given by petitioner Kuldip Singh that he is adopted son of Smt. Santosh Devi and is owner in possession of the land, as

described in the FIR. The land was given to one Dharampal for cultivation and accused-respondents No.2 & 3, in order to harass the petitioner, illegally entered into his fields and cultivated the same. It is further stated that the accused were granted the concession of anticipatory bail by the Additional Sessions Judge, Narnaul vide order dated 16.03.2019 and the petitioner is seeking cancellation of the same.

Learned State counsel, on instructions from ASI Pritam Singh, submits that after completion of the investigation, challan has already been presented before the Additional Chief Judicial Magistrate on 22.05.2019 and now the case is fixed for recording the prosecution evidence and some of the prosecution witnesses have already been examined.

On a Court query, whether there is any complaint filed by the petitioner that accused-respondents No.2 & 3 have misused the concession of anticipatory bail, learned State counsel submits that there is no such complaint.

In view of the above, I find that no standard ground seeking cancellation of anticipatory bail is made out, as neither it is alleged that the accused are misusing the concession of anticipatory bail; extending any threat to the witnesses or are involved in any such or similar case subsequently.

Accordingly, the present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

16.07.2021

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No