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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29980-2021 (O&M)
Date of Decision: 30.07.2021

Manish Kumar

.. Petitioner

Vs.

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Satyawan Singh Nain, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 (2) Cr.P.C seeking cancellation of anticipatory bail granted to respondent No.2- Prashant Bhardwaj, by the trial Court vide order dated 14.07.2021 (Annexure P-2), in case FIR No.39 dated 01.02.2021 under Sections 148/149/323/379-B IPC (Section 379-A deleted and Sections 379-B/427/506/34 and 120-B IPC added later on), registered at Police Station Sector 9-A, Gurugram.

Learned counsel for the petitioner has invited the attention of the Court to the photographs (Annexure P-4) and contended that a iron rod was forcefully inserted in the front wind screen of the vehicle and it was an attempt to murder the complainant. He submits that the accused is involved in other cases and, therefore, the concession of anticipatory bail was wrongly granted by the Addl. Sessions Judge, Gurgaon without properly appreciating the merits of the case. According to him, the respondent No.2

has been consistently threatening the petitioner, so the bail granted to the

accused be cancelled.

After hearing the learned counsel and perusing the impugned order dated 14.07.2021 (Annexure P-2), this Court finds that the ld. Addl. Sessions Judge, Gurgaon has dealt with the case carefully by examining the entire material, particularly the CCTV footage, which reflected that the applicant/accused Prashant Bhardwaj was not present at the place of occurrence at the time of incident and there is old dispute between the complainant/petitioner and respondent No.2 and cases between them are pending. Even otherwise, through the order dated 14.07.2020, only interim concession of pre arrest bail has been extended to the respondent No.2.

At this stage, learned State counsel, on instructions from SI Parveen, has stated that the accused/respondent No.2 was not seen in the CCTV footage and only a simple injury was suffered by the victim on his foot. The other argument raised by the learned counsel that the petitioner is being threatened by the accused is not supported by any convincing material, much less any complaint to the police.

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

Dismissed.

30.07.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No