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

CRM-M-53398-2021

Date of decision: 21.12.2021

Shakuntla Devi

.....Petitioner

versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Akshay Kumar Jindal, Advocate
for the petitioner.

FATEH DEEP SINGH, J.

In a case, got registered by way of FIR No.39 dated 06.04.2020 under Sections 447, 427, 467, 468 and 471 of the Indian Penal Code with Police Station Bapoli District Panipat, Haryana, this Court vide orders dated 29.07.2020 passed in CRM-M-20777-2020 allowed anticipatory bail to the petitioner-Madan. It is, thereafter, the present petition has come about under Section 439 sub Section 2 Cr.P.C. seeking cancellation of anticipatory bail so allowed to respondent No.2-Madan moved on behalf of complainant-Shakuntala Devi.

Heard learned counsel for the petitioner and perused the records.

Admittedly, this Court had allowed the anticipatory bail of Madan way back on 29.07.2020 and the present application seeking cancellation of the bail has been moved on 30.11.2021 after almost one year and four months. More so, it is a dispute over an immovable property comprising of *GairMumkin Garhakhad* and way back in the year 2015, Shakuntala Devi earlier too, has moved a Civil Writ Petition bearing CWP No.11445 of 2015 titled as '*Shakuntla Devi versus State of Haryana and others*'. Besides this, a Civil Suit No.171 of 2014 titled as '*Madan versus Gram Panchayat, Jalmana, Block Bapoli, Tehsil Bapoli, District Panipat*' over the same very property, was filed before the Civil Judge (Junior Division), Panipat, who vide judgment/decreed dated 09.07.2015, had dismissed the suit and, therefore, is suggestive of the history of the litigation between the two sides.

A close look at the averments made in the petition for cancellation of the bail, nothing is suggestive, how there has been misuse of the concession of bail so granted to the

petitioner and, therefore, to the mind of this Court, is nothing but a ploy to take revenge over this litigation regarding a small tract of property which is more than seven years old and in light of the same, this Court does not feel inclined to take cognizance of this petition and, thus, the same is dismissed in limine.

21.12.2021*Neha***(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No