

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

206

**CRM-M-31782-2020
Decided on : 09.07.2021**

Shalu

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Akashdeep Singh, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana
assisted by ASI Rajesh.

Mr. Vinod Ghai, Sr. Advocate with
Mr. Arvind Seth, Advocate, for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

Prayer in the instant petition is for cancellation of anticipatory bail granted to respondent No.2 vide order dated 23.07.2020 (Annexure P-13), passed by Ld. Addl. Sessions Judge, Rohtak, in case FIR No. 432, dated 09.07.2020 (Annexure P-9), under Sections 376(2)(n), 377, 494, 498-A, 406, 323, 34, 506, 120-B of IPC, registered at Police Station Shivaji Colony, Rohtak.

Learned counsel for the petitioner submits that the learned Additional Sessions Judge, Rohtak (in short 'Ld. ASJ'), has gravely erred while extending the concession of anticipatory bail to respondent No.2, inasmuch as, without considering facts & circumstances of the case and delving into the gravity of the offences.

Upon notice of motion having been issued, separate replies on behalf of respondent No.1 (State) and respondent No.2 have been filed. In reply filed by respondent No.2, he has vehemently denied the allegations levelled by the

Heard.

Bail once granted can be cancelled only if it is brought to the notice of a superior Court that the accused has violated any condition, which may have been imposed upon him while being extended the concession of bail by the Court below.

Learned counsel has failed to bring to the notice of this Court any arbitrary exercise of judicial discretion by the Court below, while extending the concession of anticipatory bail nor has he been able to point out any violation by respondent No.2 of the conditions imposed upon him while being granted bail by the Court below.

Petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

July 09, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*