

106

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43016-2021

Date of Decision: 12.10.2021

Sukhwinder Singh

.. Petitioner

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Lupil Gupta, Advocate for the petitioner.

...

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-Ranjit Singh @ Rana, by this Court vide order dated 22.02.2021 (Annexure P-11), in case FIR No.258 dated 11.10.2020 under Sections 307, 506, 427, 148 and 149 IPC and Sections 25 and 27 Arms Act, 1959, registered at Police Station Sarhali, District Tarn Taran (Annexure P-1).

Learned counsel for the petitioner has argued that after the concession of pre arrest bail, the accused again fired at the Haveli of the complainant and it amounts to the misuse of the concession of pre arrest bail, therefore, the interference is warranted by this Court under Section 439(2) Cr.P.C. He submits that the claim of the accused that he is in the possession of the property is also incorrect and has drawn the attention of the Court to the inquiry report by DSP, Crime, Tarn Taran dated 20.06.2020 (Annexure P-9). He prays that the concession of pre arrest bail granted to respondent No.2-Ranjit Singh @ Rana be cancelled.

During the course of hearing, it is not disputed by the learned

counsel that the complaint regarding the alleged occurrence of firing by the accused is not on record.

After hearing the learned counsel, this Court is of the opinion that the sole ground raised by the complainant seeking cancellation of anticipatory bail granted to the accused vide order dated 22.02.2021 (Annexure P-11) is not substantiated with any material. Apart from it, the report by DSP, Crime, Tarn Taran (Annexure P-9) is also of no help to the petitioner/complainant, as the civil litigation regarding the property in question is pending adjudication.

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

Dismissed.

12.10.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No