

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-2782-2022 (O&M)
Date of Decision:-22.8.2022

Rakesh Kumar ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.S. Verma, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking cancellation of anticipatory bail as granted to respondents No.2 and 3 by the Court of learned Sessions Judge, Kapurthala vide order dated 10.1.2022 (Annexure P-5).
2. Mr. Gursharan Singh, Advocate has put in appearance on behalf of respondents No.2 and 3 and has filed *Vakalatnama*, which is taken on record.
3. Learned State counsel has informed that as on date challan already stands presented.
4. The petitioner seeks cancellation of anticipatory bail as granted to respondents No.2 and 3 mainly on the ground that the accused have been misusing the concession of bail and have been threatening to involve him in

some other false case in respect of which DDR No.015, dated 14.1.2022, at Police Station City Phagwara (Annexure P-6) is also stated to have been lodged.

5. I have heard learned counsel for the petitioner.
6. Having regard to the fact that the anticipatory bail was granted by the Court of Sessions, the cancellation of which is sought on some subsequent developments i.e. respondents No.2 and 3 allegedly having threatened the petitioner, this Court is of the opinion that it will be more appropriate that the petitioner files a petition under Section 439(2) Cr.P.C. seeking cancellation of bail before the Court of Sessions itself.
7. The instant petition, as such, is disposed of with liberty to the petitioner to file a petition for cancellation of bail before the Court of Sessions itself.

22.8.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No