

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

CRM-M-39768-2022
Date of Decision: 02.09.2022

Vipin Khatana

....Petitioner

Versus

State of Haryana and another

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Saurav Bhatia, Advocate, for the petitioner.

HARNARESH SINGH GILL, J.

By way of the present petition, the petitioner seeks cancellation of bail granted to respondent No.2-Mohit, vide order dated 22.08.2022 passed by the learned Additional Sessions Judge, Gurugram, in FIR No. 175 dated 21.06.2022 under Sections 148, 149, 323, 216, 324, 325 IPC and Section 307 IPC added later on, at Police Station Bhondsi, District Gurugram.

Learned counsel for the petitioner submits that while granting the concession of anticipatory bail to respondent No.2, the learned Additional Sessions Judge, Gurugram, has totally ignored the facts; i) that respondent No.2 had attempted the murder of the petitioner by hitting his vehicle against the vehicle of the petitioner; ii) that respondent No.2 had also given a knife blow on the left side of the face of the petitioner besides giving iron pipe blows, which resulted into fracture on his hand(s); iii) and that the registration of a criminal case bearing FIR No.210 dated 05.08.2022 under Sections 186, 353, 332, 506, 509 read with Section 34 IPC at Police Station Bhondsi, against the family

members of respondent No.2, who had facilitated his escape, when police went to apprehend him and also caused beatings to the police personnel besides criminally intimidating them. On this premise, it is contended that respondent No.2 was not entitled to the relief of concession of anticipatory bail, but the same has wrongly been granted by the learned Additional Sessions Judge, Gurugram and thus, the bail granted to respondent No.2 is liable to be cancelled.

I have heard the learned counsel for the petitioner.

Vide order dated 22.08.2022, the learned Additional Sessions Judge, Gurugram, had granted the relief of anticipatory bail to respondent No.2. The said Court in detailed discussed the entire factual position and, thus, taking that into consideration, granted bail to respondent No.2. It was also noticed that Section 307 IPC was added in the FIR later and both the vehicles i.e. the vehicle of the petitioner and that of respondent No.2 were damaged to equal extent.

It could not be shown that respondent No.2 has ever misused the concession of such bail and/or he has not cooperated or not co-operating the investigating agency.

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

02.09.2022
ds

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No