

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-13082-2023

Date of Decision: May 05, 2023

Rupal Bhardwaj

.....Petitioner(s)

Vs.

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Naveen Malik, Advocate for the petitioner.

Mr. Manish Bansal, Sr. DAG, Haryana

Mr. Sanjeev Kumar Birla, Advocate
for the respondents No.2 and 3.

ANOOP CHITKARA J. (ORAL)

Seeking cancellation of bail granted to respondent No.2 and 3 vide order dated 22.02.2023 passed in CRM-M-9446-2023, the complainant has come up before this Court u/s 439(2) r/w Section 482 Cr.P.C.

2. Complainant submits that paragraph 6 (1) of the order has not been complied with and seeks cancellation of bail.

3. Counsel for the accused-respondents No.2 and 3 on instructions states at bar that registration of sale deed has already been done pursuant to undertaking vide order dated 22.02.2023 and nothing is remained to be done on their part. He further submits that on apprehending that the bail might be cancelled, counsel for the accused/respondents No.2 and 3 prays that the bail may not be cancelled and he would be willing to concession that in case the petitioner files recovery suit or civil proceedings within three months from today, then they shall not take up the plea of limitation.

4. Counsel for the complainant-petitioner submits that interest is yet to be recovered from the respondents and not paid by them so far.

5. Given above, the present petition disposed of. However, it is permissible for the complainant to take all remedies in accordance with law for recovery of interest and for remaining grievance, if any. Given such concession by the counsel for the accused/respondents No.2 and 3 not to take up the objections of limitation, it is clarified that in case the petitioner filed an appropriate proceedings by 31.07.2023, then if such proceedings are barred by limitation, the respondents/accused shall not take up such plea because they have already waived off the rights to raise any objections in lieu of continuation of the bail and their prayer had not being rejected.

(ANOOP CHITKARA)
JUDGE

May 05, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No