

CRM-M-20256-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20256-2023
Date of Decision: 04.09.2023

Abhishek Bakshi

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. A. G. Punjab.

HARNARESH SINGH GILL, J.(Oral)

1. Through this petition, the petitioner seeks cancellation of anticipatory bail granted to respondent No.2, namely, Sanjiv Kumar @ Kala, in FIR No.80 dated 31.08.2021, under Sections 306 and 34 IPC, registered at Police Station Lambra, District Jalandhar Rural.
2. Learned counsel for the petitioner submits that vide order dated 31.01.2022, respondent No.2 had been granted the concession of anticipatory bail, and that respondent No.2 has violated the terms and conditions of the anticipatory bail, inasmuch as, he went abroad without prior permission of the Court.
3. Learned State counsel draws the attention of this Court towards statement of respondent No.2 annexed with the status report dated 24.07.2023. As per the said statement, respondent No.2 went to the U.S.A.

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cousin, but he came back to India on 20.02.2023. The relevant entries qua the departure and arrival of respondent No.2 have been reflected in his passport.

4. I have heard the learned counsel for the parties.
5. Indisputably, leaving the country by respondent No.2 without permission of the concerned Court, is a clear violation of the terms and conditions of the anticipatory bail granted to him. However, the fact remains that he returned to India on 20.02.2023.
6. Keeping in view the fact that the petitioner has come back to India, the present petition is disposed of with a direction to the trial Court to look into the matter and ensure that no such violation is committed by respondent No.2 in future. For the said purpose, the trial Court would be at liberty to impose a proper condition(s) on the petitioner.

04.09.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note: Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No