

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

220

CRM-M-18622-2019

Date of Decision: 31.01.2023

Hemant Gupta

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aditya Sanghi, Advocate
Mr. Aditya Jain, Advocate and
Mr. Rahul Vohra, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Tejas Bansal, Advocate and
Mr. Sanjiv Kumar Aggarwal, Advocate
for respondents No.2 to 5.

ANOOP CHITKARA, J.

The complainant (petitioner herein) has come up before this Court for cancellation of bail granted to respondents No.2 to 5 vide order dated 14.11.2018 passed by learned Additional Sessions Judge, Hisar.

Counsel for the complainant submits that the accused had not complied with the previous orders, specifically order dated 06.12.2022. However, counsel for respondents No.2 to 5 submits that they did not intend to disobey the order of this Court and they certainly obey the said order. He further submits that they have no objection if this Court imposes any condition upon them.

Be that as it may, respondents No.2 to 5 are directed to comply with the order dated 06.12.2022 forthwith if not complied earlier and not later than four weeks from today.

Given the contention of respondents No.2 to 5 and the fact that this matter is pending from the year 2019 and there is no allegation that the accused threatened the complainant, no ground to cancel the bail is made out. However, keeping in view the prayer of the petitioner and no objection by respondents No.2 to 5, following conditions are added in the order dated 14.11.2018,:-

(i) The accused shall forward to the Investigator/SHO and the complainant/victim(s) the complete details of bank account numbers with addresses, fixed deposits, DEMAT account numbers, the current market value of jewellery, sovereign metals, all precious articles, held either individually or jointly, and cash-in-hand.

(ii) The accused shall not influence, browbeat, pressurize, make any inducement, threat, or promise, directly or indirectly, to the witnesses, the Police officials, or any other person acquainted with the facts and the circumstances of the case, to dissuade them from disclosing such facts to the Police, or the Court, or to tamper with the evidence.

Petition is partly allowed of in the terms mentioned above. Pending applications, if any, stand disposed of.

It is clarified that in case, the accused fail to comply with the newly added condition, it shall be permissible for the complainant to file a fresh application for cancellation of bail.

(ANOOP CHITKARA)
JUDGE

31.01.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no