

2023:PHHC:085093
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CRM-M-23197-2023

Date of Decision: 06.07.2023

Kulvir Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Naveen Batra, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. Prikshit Thakur, Legal aid counsel
for respondent No.2.

ANOOP CHITKARA, J.

Seeking cancellation of bail granted to respondent No.2 vide order dated 01.11.2021 (Annexure P-4), the complainant (petitioner herein), has come up before this Court under Section 439(2) CrPC.

2. Legal aid counsel appearing for respondent No.2 submits that role of this Court under Section 439(2) is limited and bail can only be cancelled when there is some abuse of process of law.

3. Complainant's counsel seeks cancellation of bail on the ground of non-compliance of the bail conditions.

4. On inquiry, State counsel on instructions from ASI Harbhajan Dass, submits that condition mentioned at para No.10 of the order dated 01.11.2021 has been complied with.

5. Given above and considering the nature of allegations, this Court does not deem it appropriate to send the accused for pre-trial

incarceration and no other reason exists for allowing the petition for cancellation of bail

6. Given the limited scope of Section 439(2) CrPC, petition is disposed off. Pending applications, if any, stand disposed off. Legal aid counsel shall be entitled for grant of remuneration as per rules.

(ANOOP CHITKARA)
JUDGE

06.07.2023
anju rani

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