

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2024 PHHC 165568



CRM-M No.23237 of 2010 (O&M)

Date of Decision: 11.12.2024

Smt. Sudesh Rana

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present:- None for the petitioner.
Mr. J.S.Mehandiratta, Advocate, for respondents No.2 & 3.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.

SHEEL NAGU, CHIEF JUSTICE (Oral)

This petition has been filed for cancellation of anticipatory bail granted to private respondents vide orders dated 26.04.2010 and 15.06.2010 passed by the Court of Additional Sessions Judge, Gurgaon

2. The trial Court after considering the matter on-merits and perusing the response of the State had granted anticipatory bail to the said private respondents-Randhir Singh, Ramesh Chander and Amarjeet vide orders dated 26.04.2010 and 15.06.2010 in respect of the offences of cheating, house trespass, forgery, dacoity and other connected offences including criminal breach of trust.

3. The entire incident arose out of a complaint filed by the petitioner-complainant that the revenue authorities along with the private respondents had trespassed upon the land of the petitioner-complainant and demolished part of the construction made by the petitioner-complainant and had evicted the complainant's father.

4. A bare perusal of the orders dated 26.04.2010 and 15.06.2010 would reveal that the contention of both the parties were considered and the facts of the cases were taken in account of and the Court below deemed it fit to grant anticipatory bail to the private respondents on the ground that the incident led to filing of a criminal complaint where compromise was entered into between the rival parties.

5. The law in regard to cancellation of bail is well settled. The cause for cancellation of bail is available only when either the bail has been granted by ignoring the basic fundamentals qua bail or if there is any breach of any conditions subject to which it was granted. Neither of the said two eventualities arises in the present case.

6. Unfortunately, this petition for cancellation of bail is pending since last 13 to 14 years and therefore, needs immediate urgent adjudication.

7. Consequent thereupon, no case for interference is made out and therefore, the present petition stands dismissed.

(SHEEL NAGU)
CHIEF JUSTICE

11.12.2024

ravinder

Whetherspeaking/reasoned	√Yes/No
Whetherreportable	Yes/No√