

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

105

Criminal Misc. No. M-17634 of 2024
Date of decision :-09.04.2024

Axxxx Kxxx **.....Petitioner**
Versus
State of Punjab and another **.....Respondents**

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Karanjit Singh, Advocate
for the petitioner.

NIDHI GUPTA J. (Oral)

Prayer in this petition filed under Section 439(2) Cr.P.C.
is for cancellation of regular bail granted to Bajinder Singh @ Pastor-
respondent No.2 herein, granted by co-ordinate Bench of this Court
vide order dated 30.10.2018 (Annexure P-1) in case FIR No.128 dated
20.04.2018, under Sections 376, 420, 354, 294, 323, 506, 148 and 149
IPC and Section 67 of IT Act, registered at Police Station Zirakpur,
District Mohali.

On a specific and direct query as to how the accused-
Bajinder Singh @ Pastor/respondent No.2 herein misused the
concession of regular bail granted by the co-ordinate Bench of this
Court vide order dated 30.10.2018 (Annexure P-1), learned counsel
for the petitioner only submits that respondent No.2 is frequently
travelling abroad time and again and there is apprehension in the mind
of the petitioner/complainant that he may abscond and misuse the
concession of bail but there is nothing on record to show that

respondent No.2 misused the concession of bail granted to him vide order dated 30.10.2018 (Annexure P-1).

Learned counsel for the petitioner at this stage limits his prayer and submits that the petitioner would be satisfied if direction is issued to the Senior Superintendent of Police, SAS Nagar (Mohali), to consider and take a final decision on application dated 12.08.2022 (Annexure P-4) addressed to the SHO, Police Station Kharar and the representation dated 18.04.2023 (Annexure P-5) addressed to him/her made by the petitioner, in a time bound manner.

Notice of motion.

Mr. Kunwarbir Singh, AAG, Punjab accepts notice on behalf of respondent-State and submits that he has no objection in case the prayer made by learned counsel for the petitioner with regard to decide the application (Annexure P-4) and representation (Annexure P-5), at this stage, is accepted.

After hearing learned counsel for the parties, without going into the merits of the present petition, the same is disposed of with a direction to the Senior Superintendent of Police, SAS Nagar (Mohali), to forthwith consider the grievance(s) raised by the petitioner in the aforesaid application (Annexure P-4) and representation (Annexure P-5) and take action thereupon as he/she deems fit, in accordance with law, within a period of six months from the date of receipt of certified copy of this order.

April 09, 2024

Vijay Asija

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No

(NIDHI GUPTA)
JUDGE