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

CRM-M-22470-2024(O&M)

Date of decision: 08.05.2024

Sukhdev Raj

...Petitioner

Versus

State of Punjab and others

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.S.S. Cheema, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J.

Present petition under Section 439(2) of the Code of Criminal Procedure, 1973 (for short, 'the Code') has been filed for setting aside the impugned order dated 02.11.2023 passed by this Court whereby respondent No. 3 granted pre-arrest bail in FIR No. 185 dated 28.08.2022 under Sections 420, 120-B, 506 registered at Police Station City South, District Moga.

(2) Sole contention raised on behalf of petitioner is that respondent No. 3 has gone abroad without obtaining any permission from this Court or learned trial Court.

(3) Heard learned counsel for the petitioner and perused the paperbook.

(4) It is not in dispute that at the time of framing charges on 17.02.2024, respondent No. 3 was very much present before learned

Judicial Magistrate First Class, Moga. Even *zimni* orders passed from time to time also indicate that on each and every date of hearing, respondent No. 3 was present before learned trial Court.

(5) Consequently, this Court is not inclined to accept the prayer of petitioner for cancellation of bail granted to respondent No. 3 on 02.11.2023.

(6) Hence, petition is dismissed.

(7) It is clarified that above observations may not be construed as an expression of opinion on the merits of the case.

(8) Pending application(s), if any, shall also stand disposed off.

08.05.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No