



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CRM-M-39715-2019

Date of decision: 15.10.2024

Rakesh Kumar Kataria

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rohit Sharma, Advocate for
Mr. D.S. Matya, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. L.M. Gulati, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking cancellation of anticipatory bail under Section 439(2) of the Cr.P.C., granted to respondent No.2 vide order dated 29.03.2019 in case FIR No.379 dated 29.06.2018 under Sections 420, 406, 120-B of the Indian Penal Code, 1860, registered at Police Station Palam Vihar, District Gurugram.

2. Learned counsel appearing for the petitioner has reiterated that respondent No.2-accused, after being extended the concession of anticipatory bail, had been declared a proclaimed offender.

3. However, learned counsel appearing for respondent No.2 has vehemently controverted the submissions made by the counsel opposite and has placed on record a photocopy of order dated

**CRM-M-39715-2019**

09.07.2024 passed by learned Judicial Magistrate First Class, Gurugram, wherein it stands reflected that respondent No.2 stands acquitted from the charges levelled against him. A copy of the said order has also been supplied to the counsel opposite.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. It needs to be pointed out that the petitioner-complainant was seeking cancellation of bail of respondent No.2-accused only on the ground of his involvement in different cases and the factum of he being declared a proclaimed offender. Since, respondent No.2-accused has already been discharged in the case in which he was stated to have been declared a proclaimed offender, no ground is made out for accepting the prayer of the petitioner. The instant petition stands dismissed accordingly.

15.10.2024

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No