

(2021) 03 SHI CK 0092

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (M) No. 464, 465 Of 2021

State Of Himachal Pradesh And Others

APPELLANT

Vs

Narinder Kumar Gupta

RESPONDENT

Date of Decision : 10-03-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439(2)
Indian Penal Code, 1860 — Section 34, 354A, 354C, 498A

Citation : (2021) 03 SHI CK 0092

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Sudhir Bhatnagar, Arvind Sharma, Kunal Thakur

Final Decision : Dismissed

Judgement

Sandeep Sharma, J

1. By way of present petitions filed under Section 439(2) CrPC, prayer has been made on behalf of the petitioner-State for the cancellation of bail

granted by this Court vide order dated 1st October, 2020 passed in Cr.MPâ??s Nos.1735 and 1736 of 2020, in case FIR No.12 of 2020, dated

28.9.2020, under Sections 498-A, 354-A, 354-C, 506 and 34 of IPC, registered at Women Police Station, Shimla, District Shimla, H.P.

2. Having heard learned Additional Advocate General and perused the grounds taken in the petitions for cancellation of bail, this Court finds that the

bail granted to respondent(s) is now being sought to be cancelled on the ground that they and their family members are not helping the police to get the

recovery of â??Stridhanâ? effected, however this Court is afraid that the bail granted by this Court can be cancelled on the aforesaid ground. Bail

granted by the Court can only be cancelled in case respondents jump over the

bail and they are not complying with the conditions imposed by the Court while enlarging them on bail. Learned Additional Advocate General was unable to point out breach of any condition imposed by this Court while enlarging the respondent(s) on bail and as such, no case, if any, is made out for cancellation of bail.

Accordingly, both the petitions are dismissed being devoid of any merit.