

(2024) 03 SHI CK 0079

High Court Of Himachal Pradesh

Case No: Criminal Miscellaneous Petition (Main) No. 312 Of 2024

Bhavneswar Nand And Others

APPELLANT

Vs

State Of Himachal Pradesh And
Another

RESPONDENT

Date of Decision: March 28, 2024

Hon'ble Judges: Ajay Mohan Goel, J

Bench: Single Bench

Advocate: Hoshiyar Singh Rangra, Pushpender Jaswal, Rakesh Chaudhary

Final Decision: Dismissed

Judgement

Ajay Mohan Goel, J

1. By way of this petition filed under Order 439(2) of the Code of Criminal Procedure, the applicants have prayed for cancellation of bail granted to respondent No. 2 herein by this Court in case Cr.MP(M) No. 525 of 2023, dated 17.03.2023, on the ground that the bail-petitioner has flouted the conditions of the bail, which were imposed upon him while releasing him on bail vide order dated 17.03.2023.
2. Having heard learned Counsel for the applicant, as also learned Additional Advocate General as well as learned Counsel for the non-applicant, this Court is not convinced that there is any violation of the conditions of the bail which were imposed upon the non-applicant/respondent No. 2 while releasing him on bail. Incidentally, there is no allegation on the part of the prosecution that the bail-petitioner has flouted any of the conditions of bail which were imposed upon him while releasing him on bail. The contention of learned Counsel for the applicant is that post his release on bail, the non-applicant has filed certain FIRs against the applicant. This Court fails to understand as to how filing of FIRs against the applicant amounts to violation or flouting of the conditions of bail imposed upon the non-applicant while releasing on bail. Therefore, this application apparently is misconceived and is accordingly dismissed.