

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

Crl.Misc.No.M-10967 of 2015

Date of decision : 7.4.2015

Sombir

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.Deepak Kundu, Advocate
for the petitioner.

.....

MAHESH GROVER, J.

The petitioner prays for cancellation of bail granted to respondents No.2 to 4 by the court of learned Addl. Sessions Judge, Karnal vide its order dated 24.3.2015.

A perusal of the order would show that the investigation of the police on an earlier occasion had exonerated them leading to a cancellation report which was resisted by the petitioner. This along with other grounds indicated in the order reveal that the bail was granted on valid and justifiable considerations.

The petitioner would contend misrepresentation such as the petitioner not being an ex-sarpanch of the village and being merely a resident of the village and the fact that documents are in

the custody of the investigating agency. These facts even if accepted to be correct, cannot form the basis of interference in the exercise of jurisdiction of this Court under Section 439(2) Cr.P.C. when other relevant factors are manifest in the order granting bail. Besides, there is no material on record to indicate as to the respondents No.2 to 4 having abused such a concession.

The parameters governing the cancellation of bail are totally distinct from that of granting bail. Bail once granted cannot be cancelled unless there are sufficient reasons to warrant such an interference under Section 439(2) Cr.P.C. Finding none of these to be present, I am of the view that the instant petition is without any merit and is therefore dismissed.

7.4.2015

(MAHESH GROVER)
JUDGE

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