

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

**Criminal Misc. No. M-26774 of 2015
Date of Decision: 14.08.2015**

Harbans Kaur

...Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Amit Arora, Advocate
for the petitioner(s).

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 439(2) CrPC is for cancellation of anticipatory bail granted to respondents no.2 to 4. Vide order dated 2.7.2015 passed in CRM-M-21036 of 2015 *Harjit Singh and others v. State of Punjab* in FIR No.29 dated 13.4.2015 under Sections 366/363/380/148/149 IPC read with Section 25 Arms Act registered at Police Station Verowal, District Tarn Taran, the aforesaid respondents were allowed anticipatory bail.

The petitioner is claiming to be a victim of oppression and harassment committed by private respondents, who committed theft

of articles and have kidnapped the grand-daughter of the complainant, namely Harpreet Kaur, one day before her marriage.

Learned counsel for the petitioner has contended that order dated 2.7.2015 passed in CRM-M-21036 of 2015 has been passed ignoring the fact that the respondents have openly fired gun shot and committed theft in the house of the complainant.

The order dated 2.7.2015 shows that the same was passed after hearing learned counsel for the complainant as well. Moreover, cancellation of anticipatory bail through the instant petition tantamounts to reviewing the order, which is not permissible under law. In this regard reliance may be placed on a judgment passed by Hon'ble the Apex Court in the case of **State through C.B.I vs Amaramani Tripathi AIR 2005 SC 3490**, wherein it has been held that for cancellation of bail, conduct of the accused subsequent to release on bail and the supervening circumstances alone are relevant. However, in the present case, the petitioner has failed to produce any material regarding the misconduct of respondents no.2 to 4 after grant of anticipatory bail to them.

In view of the above, I find no ground to cancel the bail granted to respondents no.2 to 4 vide order dated 2.7.2015 passed in CRM-M-21036 of 2015.

Accordingly, the present petition is dismissed.

August 14, 2015
AK

(HARI PAL VERMA)
JUDGE