

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35440-2016

Date of decision: 03.10.2016

Rekha Rani and another

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. C.B.Kaushik, Advocate for the petitioners.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 (2) read with Section 482 of the Code of Criminal Procedure, the petitioner has sought cancellation of bail granted to respondent Nos.2 to 4 by learned Sessions Judge, Yamuna Nagar at Jagadhari, vide order dated 09.09.2016 (Annexure P-2), in FIR No.153 dated 23.08.2016, registered under Sections 148, 323, 325, 452, 427 and 506 read with Section 149 of Indian Penal Code, at Police Station Chhappar, District Yamuna Nagar.

It is contended that that respondent Nos.2 to 4 have misused the concession of bail granted by learned Sessions Judge. The private respondents have started threatening the petitioners after getting the concession of bail. Learned counsel for the petitioners further contends that custodial interrogation of respondent Nos.2 to 4 is necessary.

Heard.

“In **Dolat Ram and others Vs. State of Haryana, JT**

1995(1) S.C. 127, it has been held that the bail granted to the accused should not be cancelled in a mechanical manner. There is no dispute with regard to the proposition of law as laid down by Hon'ble the Supreme Court. The consideration for the cancellation of bail are totally different than the one for granting the bail. Such considerations should be weighty and strong, leaning towards the prosecution and the injuries suffered by the aggrieved party.

No material or circumstance has been brought to the notice of this Court, which could be a ground to cancel the bail.

There is no reference or circumstance to indicate that respondent Nos.2 to 4 have misused the bail granted vide order dated 09.09.2016.

Dismissed.

(JITENDRA CHAUHAN)
JUDGE

October 03, 2016

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No