

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

Crl. Misc. No.M-4796 of 2016

Date of Decision: 16.02.2016

Sonia

....Petitioner

Versus

State of Punjab and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Ms. Neetu Singh Aashat, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

This is the second petition filed under Section 439(2) read with Section 482 Cr.P.C for cancellation of anticipatory bail granted to respondents No.2 and 3 in case FIR No.70 dated 19.11.2015 registered under Sections 313/406/498-A IPC at Police Station Women Cell, District Jalandhar City.

Learned counsel for the petitioner submits that in the earlier petition filed by the petitioner, the counsel could not advance arguments properly and this petition has been filed.

The earlier petition was dismissed as withdrawn as the Court was not inclined to interfere with the order of grant of bail. Inability of the earlier counsel to advance proper arguments is not a ground to file the second petition for cancellation of bail. Moreover, learned counsel for the

petitioner has not been able to show as to how the arguments advanced by earlier counsel were not proper. Even no liberty was granted to file a fresh petition but then also, the second petition has been filed. Moreover, a detailed order has been passed while granting bail to respondents No.2 and 3. The grant of bail and cancellation of bail are two different things. The bail can be cancelled in case the mistake is apparent on record or the nature of offence is serious. Further, there is nothing on record to show that respondents No.2 and 3 have misused the concession of bail and the earlier petition was dismissed as withdrawn.

In view of the above, the present petition, being devoid of any merit, is hereby dismissed.

16.02.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE