

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

CRM-M-36439 of 2016 (O&M)

Date of decision: 19.01.2017

Sharanjit Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. BBS Sobti, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. K.G. Chaudhary, Advocate
for respondent No.2.

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 No.2 by this Court, vide order dated 09.09.2016 (Annexure P-3) in FIR No. 79 dated 09.06.2014, registered under Sections 302 and 201 read with Section 34 IPC, at PS Payal, Police District Khanna, District Ludhiana.

It is contended that respondent No.2 threatened the prosecution witness, namely Parminder Singh in the Court premises.

Immediately, he lodged a complaint before the competent Court, upon which the Court had taken the necessary action to protect the life and liberty of the witness.

On the other hand, the learned State counsel submits that the petitioner did not represent to the State authority with regard to the incident.

I have heard learned counsel for the parties and perused the record.

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.

The grouse of the petitioner stands already redressed by the Court below. No material or circumstance has been brought to the notice of this Court, which could be a ground to cancel the bail. In the circumstances, no case for interference is made out. Dismissed.

19.01.2017

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(JITENDRA CHAUHAN)
JUDGE

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