

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

**CRM-M-8018-2019 (O&M)
Date of decision: 22.5.2019**

Dilbag Singh

... Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sunil Kumar Nehra, Advocate.
for the petitioner.
Mr. Manoj Kumar Sangwan, DAG, Haryana.
Mr. Siddharth Gupta, Advocate,
for respondent No.3.

RAJ SHEKHAR ATTRI, J. (Oral)

The present petition has been filed under Section 439 (2) Code of Criminal Procedure for cancellation of anticipatory bail granted to Mr. Manjinder Singh respondent No.3 by learned Additional Sessions Judge, Sirsa vide order dated 10.12.2018 and confirmed vide order dated 17.12.2018 in case FIR No.221 dated 31.8.2018 registered for the offences punishable under Sections 147, 149, 363, 366-A, 506 of Indian Penal Code, at Police Station Ellenabad, District Sirsa.

Mr. Manjinder Singh was granted bail by the court below. However, an application for cancellation of his bail was moved which was declined.

Heard.

At the time of dealing with the bail and cancellation of bail, the court has to keep in mind the following principles of criminal

- “a) accused shall be presumed innocent unless he is proved guilty beyond reasonable doubt
- b) he is a human being and may be subject to various constraints beyond his control;
- c) a Judge has to adopt a humanitarian approach”

In fact, the minor daughter of the complainant namely Ms. Arshdeep Kaur had married with Manjinder Singh. The petitioner filed CRWP-480-2018 wherein the father of Ms. Arshdeep Kaur namely Manjit Singh agreed to transfer a shop owned and possessed by him in the name of Ms. Arshdeep Kaur. Today, Ms. Arshdeep Kaur who is present in Court has submitted her affidavit along with a photocopy of the transfer deed No.3857 dated 11.9.2018 registered on 13.9.2018 vide which Manjit Singh son of Pritam Singh had transferred the shop in her name. She has categorically stated that she and her husband are running that shop and both of them are residing happily as husband and wife.

In support of his contention, learned counsel for the petitioner has placed reliance on the judgments of Hon'ble Supreme Court in **Ms. Eera through Dr. Manjula Krippendorf v. State (Govt. of NCT of Delhi) and another**; 2017 (3) RCR (Criminal) 734 and of this Court in **Subhash Chander v. State of Haryana and another**; 2010 (4) RCR (Criminal) 856 and **Amninder Kaur and another v. State of Punjab and others**; 2010 (1) RCR (Civil) 191. However, these are of no avail to the petitioner.

Dismissed.

(RAJ SHEKHAR ATTRI)
JUDGE

May 22, 2019
Paritosh Kumar

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No