

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

**CRM-M No.13320 of 2019
Date of Decision: 15.11.2021**

Priyanka Rani

..... Petitioner

Versus

State of Punjab and another

..... Respondents

(Heard through video-conferencing)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kunal Vinayak, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Pratham Sethi, Advocate
for respondent No.2.

MANJARI NEHRU KAUL J. (Oral)

The present petition has been filed under Section 439(2) Cr.P.C., for cancellation of anticipatory bail of respondent No.2, granted by the Court of Ld. Additional Sessions Judge, Mansa vide order dated 25.02.2019 (Annexure P-3), in case FIR No.0018, dated 24.01.2019, under Sections 498-A, 406 and 34 of IPC, registered at Police Station City-I Mansa, District Mansa.

Learned counsel for the petitioner contends that while passing the impugned order dated 25.02.2019 (Annexure P-3), the trial Court failed to appreciate that there were specific and serious allegations levelled against the petitioner of subjecting the complainant-wife to harassment on account of his and his family's dissatisfaction with the

dowry given at the time of marriage. It was submitted that strangely the parents-in-law, who too had been levelled similar allegations in the FIR in question, were denied the concession of anticipatory bail on the ground of non-recovery of the complainant's *istridhan* whereas the petitioner was extended the concession of anticipatory bail by the same Court.

Learned counsel for respondent No.2 has opposed the prayer and submissions made by learned counsel for the petitioner by submitting that respondent No.2-husband was granted anticipatory bail subsequently as he had joined investigation and cooperated with the investigating agency.

I have heard learned counsel as well as perused the material on record.

The courts should be wary of cancelling bail except of course where some material is brought-forth that the accused had been misusing the liberty granted to him by interfering either with the course of investigation or by threatening witnesses and tampering with evidence or if, he had violated any conditions imposed upon him at the time when the concession of bail was granted to him.

Learned counsel for the petitioner has failed to bring to the notice of this Court that any of the above much less any such violation of the conditions imposed upon the accused at the time of passing of the impugned order.

Learned State counsel, on instructions from ASI Teja Singh, has apprised the Court that challan stands presented, charges framed and the case is now fixed for prosecution evidence.

In these circumstances, this Court is not inclined to cancel the bail granted to respondent No.2 vide the impugned order dated 25.02.2019 and the instant petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

November 15, 2021

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