

CRM-M-29086-2020 (O&M)

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

**CRM-M-29086-2020 (O&M).
Decided on: February 8, 2021.**

Kuldeep Kaur

.. Petitioner

VERSUS

State of Punjab and another

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Sunil Agnihotri, Advocate,
for the petitioner.**

Mr.Luvinder Sofat, AAG, Punjab.

**Mr.Liaqat Ali, Advocate,
for the complainant.**

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 (2) read with Section 482 of the Code of Criminal Procedure, seeking cancellation of bail granted to private respondent vide order dated 4.6.2020 (Annexure P-2) in FIR No.50 dated 21.04.2020, under Sections 306/34, registered at Police Station Machhiwara, District Ludhiana.

Learned counsel for the petitioner has submitted that

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respondent No.2 was granted bail by the learned trial Court vide Annexure P-2 on 4.6.2020 and a specific condition was imposed in the bail order the applicant-accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

Learned counsel for the petitioner has submitted that thereafter, respondent No.2 accused extended threats to the petitioner and on the basis of complaint filed by the petitioner, the police has also registered G.D. No.11 dated 22.6.2020 (Annexure P-3) and therefore, he has prayed for cancellation of the bail.

State has filed reply by way of affidavit of affidavit of Deputy Superintendent of Police, District Police, Khanna, in which it has been stated in para 7 that in fact the petitioner approached the local police after getting the regular bail by respondent No.2 by stating that her family is being threatened to be killed by respondent No.2 and upon this the local police registered G.D. No.11 dated 22.6.2020, under Sections 107 and 150 Cr.P.C. and submitted the same before the competent Court i.e. S.D.M. Samrala and the proceedings of the same are pending for final adjudication.

Learned counsel for the petitioner has submitted that despite threat to kill extended by respondent No.2 and registration of G.D.No.11 dated 22.6.2020 and presentation of Calendra under Sections 107 and 150 Cr.P.C. no appropriate application was moved by the State to the Court for cancellation of the bail as there was direct infringement of the condition imposed in the bail order.

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Learned State counsel has submitted that appropriate process will be followed and suitable action will also be taken in this regard.

On this, the learned counsel for the petitioner prays for withdrawal of the present petition in order to enable the petitioner to approach the learned trial Court which had granted bail to respondent No.2 and to move appropriate application for cancellation bail in accordance with law.

In view of above, the present petition is dismissed as withdrawn.

February 8, 2021.	JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No