

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

210

**CRM-M-5063-2022 (O&M)
Date of Decision: 24.08.2022**

Nawabdin

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Ashit Malik, Advocate for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

Mr. Saleem Ahmed, Advocate for respondents No. 2 to 5.

ANOOP CHITKARA, J. (ORAL)

Seeking cancellation of bail, the complainant has come up before this Court on the grounds that respondents No.2 to 5/accused are threatening and intimidating him.

Short reply by way of an affidavit of Ashok Kumar, Deputy Superintendent of Police H.Q. Nuh has been filed by learned State counsel today in the Court and the same is taken on record.

Learned counsel for the complainant has drawn attention of this Court to Annexure P-3 which is a representation given to the concerned Superintendent of Police.

Let the concerned Superintendent of Police decide the representation (Annexure P-3) within 30 working days from today by passing a speaking and reasoned order.

In case, the findings corroborate the version of the complainant about the threat, then it shall be permissible for the complainant to file an application for cancellation of bail. However, in case the findings of the concerned Superintendent of Police, does not point out any threat, then no such liberty to file a fresh petition for cancellation of bail.

Given above, the present petition is disposed of by modifying the order dated 18.01.2022 passed by learned Additional Sessions Judge, Nuh granting bail by adding

following more conditions:

- (1) Given the nature of allegations and the other circumstances peculiar to this case, the petitioner shall surrender all weapons, firearms, ammunition, if any, along with the arms license to the concerned authority within ten days from today and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and take it back in case of acquittal in this case.
- (2) Till the completion of the trial, the petitioner shall not contact, call, text, message, remark, stare, stalk, make any gestures or express any unusual or inappropriate, verbal or otherwise objectionable behavior towards the victim and victim's family, either physically, or through phone call or any other social media, through any other mode, nor shall unnecessarily roam around the victim's home.

It is further clarified that in case respondents No.2 to 5/accused does not comply with the order or violates the new conditions which have been given by this order, then it shall be permissible for the complainant to file a fresh petition for cancellation of bail.

(ANOOP CHITKARA)
JUDGE

24.08.2022
Jyoti-II

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