

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

226

**CRM-M-4430-2018
Decided on : 13.01.2022**

Sumit Chaudhary

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Rishi Kapoor, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Ashish Sanghi, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

By way of present petition filed under Section 439(2) Cr.P.C., the petitioner is seeking the cancellation of bail granted to respondent No.2 vide order dated 14.12.2017 (Annexure P-4) in case FIR No. 294/2017, dated 27.04.2017, under Sections 304-B, 302, 498-A, 34, 120-B of IPC, registered at Police Station Sector 29, Gurugram DLF (Haryana) (Annexure P-1).

Learned counsel for the petitioner contends the trial Court extended the concession of bail to the private respondent on irrelevant grounds and without considering the serious allegations levelled against him. It has been further submitted that subsequent to the grant of bail, respondent No.2 had been extending threats and had tried to influence the complainant to depose in his favour.

Learned counsel for respondent No.2 while opposing the prayer

and submissions of the counsel opposite, submits that the impugned order (Annexure P-4) was a very well reasoned order and could not be faulted with. He further submits that the trial is nearing conclusion as only two prosecution witnesses remain to be examined. He still further submits that the respondent had not breached any condition, which was imposed on him by the trial Court at the time of granting him bail.

Learned State counsel on instructions, has also not disputed the submissions made by learned counsel for respondent No.2 *qua* he not having breached any conditions. On a query put to the learned State counsel as to whether any complaint was received from the complainant *qua* the alleged threats sent to him by respondent No.2, he has replied in the negative.

Heard and perused the material on record.

Bail once granted should not be cancelled unless, of course, if some cogent case based on some supervening circumstance is brought forth. Learned counsel for the petitioner has failed to bring to the notice of this Court any such supervening circumstances, to show any misuse of the concession of bail granted to respondent No.2.

In the circumstances, no ground to cancel the bail granted to respondent No.2 vide order dated 14.12.2017 (Annexure P-4) is made out.

Petition stands dismissed accordingly.

(MANJARI NEHRU KAUL)
JUDGE

January 13, 2022

J.Ram

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