

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

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CRM-M-20750-2018
Date of Decision:09.02.2023

Prabhpreet Singh Chadha

....Petitioner
Versus

State of Punjab and another

....Respondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab.

Mr. Gaurav Mohunta, Advocate and
Mr. Gaurav Gogna, Advocate for respondent No.2.

ANOOP CHITKARA, J.

The complainant (petitioner herein) has come up before this Court seeking cancellation of bail granted to the accused vide order dated 05.04.2018 passed by the learned trial Court in FIR No.1 dated 03.01.2018 registered at Police Station Airport District Amritsar for offences punishable under Sections 306, 384, 506 & 120-B IPC.

At the outset, counsel appearing for respondent No.2 submits that this Court should not cancel the bail and he had no objection if some stringent conditions are added in the order dated 05.04.2018.

Given above, in the order dated 05.04.2018, the following condition are added:-

(i) Given the nature of the 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 fifteen 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, provided otherwise permissible in the concerned rules.

(ii) Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall not

enter the property, workplace, and the residence of the victim till the recording of the statements of all non-official and informal witnesses in the trial. This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to Vikram Singh v Central Bureau of Investigation, 2018 All SCR (Crl.) 458); and Aparna Bhatt v. State of Madhya Pradesh, 2021 SCC Online SC 230.

(iii) 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 clarified that in case, the accused fails to comply with the newly added condition, it shall be permissible for the complainant to file a fresh application for cancellation of bail.

Petition is partly allowed in the terms mentioned above. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

09.02.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no