

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

233

CRM-M-38521-2022

Date of Decision:01.02.2023

Surjeet Kour @ Sweety

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Tapish Kumar Gupta, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Munish Thakur, Legal aid counsel 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 18.04.2022 passed by this Court in CRM-M-11401-2022.

The complainant's counsel has drawn attention of this Court to condition mentioned at para 17 of the order dated 18.04.2022 and also the FIR (P-3) which points out towards violation of the said condition.

Faced with this situation, legal aid counsel (assisted by Mr. Balraj Gujjar, Advocate, who is representing respondent No.2 in some other case i.e. CRM-M-34295-2022), submits that this Court should not cancel the bail and he had no objection if some more conditions are added in the order dated 18.04.2022. He further submits that these are only the tactics to force them to enter into compromise.

Given above, in the order dated 18.04.2022, the following condition is added:-

The accused shall not enter the property, workplace, and the residence of the complainant and shall also not enter within a radius of 500 meter from the victim's home 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 (CrI.) 458; and Aparna Bhatt v. State of Madhya Pradesh, 2021 SCC Online SC 230.

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

01.02.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no