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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10718-2024
Date of decision: 01.03.2024

Baljeet Singh Bhullar....Petitioner

Versus

State of Punjab and another...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

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

Mr. Subhash Godara, Addl.A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 439 (2) read with Section 482 of Cr.P.C. seeking cancellation of bail granted to respondent No.2, in case bearing FIR No.97 dated 19.10.2017 (Annexure P-1) under Sections 302/382/148/149/120-B of IPC and Sections 25/27 of Arms Act, 1959 registered at Police Station Sadar Abohar District Fazilka, vide order dated 19.09.2022 (Annexure P-2).

Learned counsel for the petitioner *inter alia* contends that respondent No.2 is a history sheeter and was granted regular bail by this Court and the following conditions were imposed:-

- “1. The petitioner will not tamper with the evidence during the trial.*

2. The petitioner will not pressurize/ intimidate the prosecution witnesses.

3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.

4. The petitioner shall not commit an offence similar to the offence

- of which, he is an accused, or for commission of which he is suspected of.*
- 5. The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.*
- 6. The petitioner shall not in any manner misuse his liberty.*
- 7. Any infraction shall entail in withdrawal of the benefit granted by this Court.”*

and after his release on regular bail, respondent No.2 has again found involved in FIR No.223 dated 19.12.2023 under Sections 341/323/379-B/365/511/148/149 of IPC (Annexure P-3), as such, for violation of the specific conditions imposed upon him while granting bail, warrants cancellation of his bail.

Having heard learned counsel for the parties and after perusal of the record, FIR No.223 (*supra*) indicates that no specific role has been attributed to respondent No.2.

In view of above, the facts and circumstances of the case do not fulfil the parameters as laid down in ‘*Dolat Ram and Others v. State of Haryana*’ (1995) 1 SCC 349, for cancellation of bail and thus, the present petition stands dismissed.

(HARPREET SINGH BRAR)
JUDGE

01.03.2024
Neha

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No