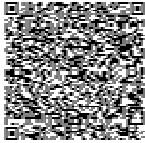


2024:PHHC:142292



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CRM-M-30177-2023
Date of Decision : 29.10.2024

JYOTI PETITIONER

V/S

STATE OF HARYANA AND ANOTHER RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. Neha Bindal, Advocate for
Mr.Satbir Singh Gill, Advocate
for the petitioner.

Mr. Raman Sharma, Addl.A.G., Haryana.

Mr. Davinder Kumar, Advocate for
Mr. PKS Phoolka, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Section 439(2) Code of Criminal Procedure, 1973 (for short ‘Cr.P.C.’) is seeking cancellation of anticipatory bail granted to respondent No.2 vide order dated 20.01.2023 passed by this Court in CRM-M-49151-2022 in FIR No.280 dated 10.08.2022 under Sections 354, 384, 385, 506, 34 of Indian Penal Code, 1860 (for short ‘IPC’) and 67-A of I.T.Act, 2000 registered at Police Station Purani Sabji Mandi, District Rohtak.
2. The petitioner is seeking cancellation of bail granted by this Court on the ground that the private respondent travelled from Rohtak to

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Patiala and threatened her. He is pressurizing her to withdraw the criminal case.

3. The State has filed reply to instant petition wherein it is averred that police has not received any complaint from petitioner and with respect to alleged incident at Patiala, jurisdictional police has registered case under Section 107/151 Cr.P.C.

4. Mr. Raman Sharma, Addl.A.G., Haryana submits that police after completing investigation has filed its report under Section 173 Cr.P.C. and they have not received any complaint from petitioner.

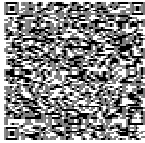
5. I have heard the arguments of counsel for the parties and perused the record.

6. The conceded position emerging from the record is that respondent No. 2 was granted concession of anticipatory bail vide order dated 20.01.2023 passed by this Court. The police after completing investigation has filed its report. The State has not filed any petition seeking cancellation of bail of respondent No. 2.

7. From the perusal of record and arguments of learned counsel for the petitioner, it comes out that grievance of the petitioner is that respondent No. 2 after concession of anticipatory bail is threatening her.

8. The parameters of granting and cancellation of bail are totally different. Bail cannot be cancelled unless and until there is evidence of misuse of bail in the form of commission of similar or identical offence, tampering or destruction of evidence, threatening or winning over of witnesses. Bail already granted cannot be cancelled in a mechanical manner. The Court while granting bail is not supposed to

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deal with each and every contention of the complainant. A bail once granted cannot be cancelled on the basis of bald allegations of the complainant.

9. Dismissed.

10. It is clarified that respondent No.2 shall not through electronic mode or otherwise contact petitioner and if he is found trying to contact the petitioner, the bail order dated 20.01.2023 would be recalled.

(JAGMOHAN BANSAL)
JUDGE

29.10.2024
anju

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