



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

CRM-M No.30262 of 2024

Date of decision: 12th August, 2024

Sukhdev Singh

... Petitioner

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mohit Kakkar, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking cancellation of regular bail under Section 439(2) of the Cr.P.C., which was granted to respondent No.2 by the Court of learned Sessions Judge, Sirsa vide order dated 12.06.2024 in case bearing FIR No.641 dated 24.10.2023 under Sections 420, 406, 467, 468, 471, 506 of the IPC registered at Police Station City Mandi Dabwali, District Sirsa.

2. Learned counsel has drawn the attention of this Court to the allegations outlined in the FIR, which has been annexed as Annexure P-1. It has been contended that despite the complainant levelling grave accusations of cheating, forgery etc., the respondent/accused was still granted bail vide order dated 12.06.2024 by the Court of learned Sessions Judge, Sirsa. Learned counsel has argued that the fact that the offences are triable by a Judicial Magistrate 1st Class, and the case is based on documentary evidence, should not have been a ground to



grant bail, especially when, after being released on bail, the respondent/accused had been threatening the complainant with dire consequences.

3. When questioned by this Court, as to whether the accused had violated any bail conditions or committed any further offences post his release on 12.06.2024, the learned counsel for the petitioner conceded that no such violations had occurred, nevertheless, learned counsel insisted that the threats extended by the respondent/accused should be construed as a breach of the bail conditions imposed by the learned trial Court. On further enquiry, learned counsel for the petitioner admitted that he had not filed any written complaint with the police regarding the alleged threats extended to him, but learned counsel claimed to have verbally informed the police.

4. I have heard learned counsel for the petitioner and perused the relevant material on record.

5. It needs to be reiterated that once bail has been granted, the Courts must exercise utmost restraint in considering its cancellation unless it is clearly demonstrated that there has been a serious violation of bail conditions, or the accused has committed another criminal offence. It is settled law that the grounds for cancelling bails are strictly defined: misuse of bail, breach of its conditions, or if the bail order itself is found to be perverse or illegal.



6. In the present case, no such material has been presented before this Court. Therefore, the prayer of the petitioner for cancellation of bail cannot be accepted and is devoid of any merit.

7. The petition stands dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

August 12, 2024
rps

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