



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

CRM-M No.42809 of 2023
Date of decision: 22nd July, 2024

Renu

... Petitioner

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunil Saharan, Advocate for the petitioner.

Ms. Trishanjali Sharma, Dy. Advocate General, Haryana
for the respondent/State.

Mr. Parmod K. Parmar, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking cancellation of anticipatory bail granted to respondent No.2 vide order dated 09.08.2023/16.08.2023 passed by learned Additional Sessions Judge, Narnaul in case FIR No.110 dated 26.07.2023 under Sections 306, 294, 506, 216, 34 of the IPC registered at Police Station Satnali, District Mahendergarh.

2. Learned counsel for the petitioner/complainant contends that the trial Court gravely erred in extending the concession of anticipatory bail to the respondent/accused in a heinous crime, as evidenced by the impugned order (Annexure P-3). The Court overlooked substantial material and evidence on record, including specific allegations against the respondent. Furthermore, it has been urged by the learned counsel that the evidence presented before the trial Court clearly indicated the active involvement of the respondent in the crime in question. Notably, the deceased left behind a suicide note



naming the respondent/accused and there also exists an audio recording of a conversation between the deceased and the respondent/accused, illustrating the harassment and humiliation endured by the deceased. Given these circumstances, it has been submitted that the learned trial Court should not have extended the extraordinary concession of anticipatory bail to the respondent/accused.

3. On a pointed query as to whether the respondent/accused has misused the concession of bail or breached any condition imposed upon him, while being extended the concession of bail, learned counsel for the petitioner has failed to bring to the notice of this Court any such breach or misuse.

4. A pointed query was also put to the learned State counsel in the said regard. Learned State counsel, on instructions, has submitted that the respondent/accused has no criminal antecedents and no complaint has been received against the respondent/accused after he was granted the concession of bail, with respect to misuse or breach of any of the bail conditions.

5. Learned counsel for the respondent/accused has also vehemently opposed the submissions made by the learned counsel for the petitioner by asserting that the allegations against the respondent/accused are totally false and fabricated. It has been further submitted that the respondent/accused has a clean record, has not misused the concession of bail, has not breached any imposed conditions, and has cooperated fully with the investigation as has also been confirmed by the learned State counsel.



6. I have heard learned counsel for the parties and perused the relevant material on record.

7. Once bail is granted to an accused, courts must exercise caution and act with great circumspection in cancelling it, unless there is compelling evidence of violation of bail conditions or if the order granting bail is fundamentally flawed. In the present case, the learned counsel for the petitioner/complainant has not provided any supervening circumstances indicating that the respondent/accused had in any manner attempted to tamper with evidence, influence witnesses, misuse his liberty by breaching bail conditions, or showed any likelihood of fleeing or evading proceedings before the trial Court.

8. In the light of the foregoing, the prayer made under Section 439(2) of the Cr.P.C. for cancellation of bail granted vide order dated 09.08.2023/16.08.2023 passed by learned Additional Sessions Judge, Narnaul is devoid of any merit.

9. Dismissed.

10. 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

July 22, 2024
rps

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