



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

107

CRM-M-13212-2025

Date of decision: 10.03.2025

Satpal

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ranbir Singh Pathania, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner/complainant is seeking cancellation of bail granted to respondent No.2 vide order dated 14.11.2024 (Annexure P-2), who stands accused in FIR No.275 dated 25.06.2023 under Sections 147, 148, 149, 302, 307, 452, 384, 506, 120B of the IPC (Sections 216, 384 of the IPC added lateron), Section 25 of the Arms Act, 1959 and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Agroha, District Hisar.

2. Learned counsel for the petitioner contends that respondent No.2 was granted regular bail by this Court vide order dated 14.11.2024. It is asserted that subsequent to his release on bail, respondent No.2 has committed another serious offence leading to the registration of FIR No.141 dated 18.02.2025, under Sections 115, 126, 3(5) of the BNS, 2023. Learned counsel has argued that respondent No.2 has violated the conditions of bail and, therefore, the concession granted to him ought to be withdrawn.



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

4. The principles governing the cancellation of bail are well settled. Bail once granted is not to be cancelled mechanically or in a routine manner. The power to cancel bail must be exercised sparingly and only in cases where there are strong and overwhelming circumstances justifying such interference. The law recognizes that pre-trial detention is not punitive in nature but preventive, aimed solely at ensuring the presence of the accused during the trial.

5. It is a settled position that bail may be cancelled only in cases where the accused has misused the liberty granted by indulging in activities that obstruct the course of justice; has attempted to tamper with evidence or influence witnesses; has violated the conditions imposed by the Court while granting bail; or is likely to abscond or evade the legal process.

6. In the present case, apart from the registration of a subsequent FIR and that too not at the instance of the petitioner but at the instance of a third person with whom the petitioner is in no manner connected, no material has been placed on record to establish that respondent No.2 has misused the concession of bail in a manner warranting its cancellation. Mere registration of a subsequent FIR, without any cogent material demonstrating a clear link between the grant of bail and the alleged new offence, cannot *ipso facto* be a ground for cancellation. It needs to be reiterated that for bail to be cancelled on the ground of subsequent criminal conduct, it must be shown that the



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accused, after being granted bail, has acted in a manner that threatens the fair conduct of the trial in the present case.

7. Furthermore, the learned counsel for the petitioner, upon a pointed query from the Court, has conceded that no threats direct or indirect have been extended by respondent No.2 to the petitioner. There is also no material to suggest that respondent No.2 has attempted to interfere with the investigation or the trial for which he was originally granted bail.

8. In the absence of any substantial evidence indicating that respondent No.2 has misused the liberty granted to him in a manner that would impede the administration of justice, this Court finds no justifiable reason to recall the order granting bail.

9. Consequently, the present petition stands dismissed.

10.03.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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