



S. No.113

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M-19702 of 2024  
Date of Decision:06.11.2025

Ramesh

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

**CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present:- Mr. Vikrant Rana, Advocate for the petitioner.

Mr. R.K. Ambavta, DAG, Haryana.

Mr. Nikhil Vats, Advocate for respondent No.2.

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**Yashvir Singh Rathor, J. (Oral)**

1. This is petition filed under Section 439(2) read with Section 482 Cr.P.C. for cancellation of regular bail of respondent No.2, granted vide order dated 18.07.2023 (Annexure P.2) passed in CRM-M-35799 of 2022 in case FIR No.371 dated 14.10.2019, registered under Sections 302, 323 and 324 of IPC at Police Station Beri, District Jhajjar.

2. Vide order dated 18.07.2023, respondent- Mahesh was ordered to be released on regular bail by a co-ordinate Bench of this Court in CRM-M-35799 of 2022 (O&M) (Annexure P.2). Thereafter, the present petition has been instituted for cancellation of bail with the allegations that after the respondent was released on bail, he extended threats to kill the complainant and in this regard, he has got registered FIR No.83 dated 07.04.2024 under Sections 195A, 452 and 506 IPC at Police Station Beri, District Jhajjar. In the said FIR, it has been alleged that his



cousin was murdered by accused Mahesh about four years ago who has now been released on bail and on 05.04.2024 at about 01:30 PM, he forcibly committed trespass in his house and he threatened to kill his brother Narender, his cousins Ramesh and Naresh on the point of pistol and he has extended threats on his mobile phone not to depose against him failing which they will be killed. With this allegations, cancellation of bail has been sought.

3. Learned counsel for the petitioner argued that after respondent No.2 was released on bail he extended threats to kill the complainant, his brother and cousins on the point of pistol and he also extended threats on his mobile phone not to depose against him failing which they will be killed and in this regard, he has got registered FIR No.83 dated 07.04.2024 under Sections 195A, 452 and 506 IPC at Police Station Beri, District Jhajjar. Ld. Counsel contended that respondent has misused the concession of bail and same be cancelled.

4. On the other hand, learned counsel for respondent No.2 has denied the allegations and has alleged that the petition in hand has been instituted with false allegations just to get the bail cancelled and the contents of afore-said FIR No.83 dated 07.04.2024 are false.

5. After hearing learned counsel for the parties and going through the material on file, I am of the considered opinion that the petition in hand is liable to be dismissed for the reasons discussed hereinafter.

6. Petitioner is seeking cancellation of bail on the ground that respondent No.2 is threatening the petitioner and his family members not to depose against him in the case pertaining to murder of his cousin which was allegedly committed by respondent No.2 and they have lodged one FIR against the respondent in this regard. However, it is well settled that considerations for



grant of bail and cancellation of bail are altogether different and bail once granted cannot be easily cancelled. Hon’ble Supreme Court in 2004(3) RCR (Criminal) 343 – **Mehboob Dawood Shaikh Vs. State of Maharashtra**, has held that mere assertion of an alleged threat to witnesses should not be utilised as a ground for cancellation of bail in a routine manner, otherwise, there is ample scope for making such allegation to nullify the bail granted and the Court should carefully weigh the acceptability of the allegations and pass orders as the circumstances may warrant. In the present case, the allegations of extending threats have been levelled regarding which FIR has already been registered which shall be subject matter of trial and one sided version of the petitioner and his family members cannot be accepted as a gospel truth at this stage. Rather, it appears that the present FIR has been got registered merely to get the bail granted to respondent No.2 cancelled. In these circumstances, no ground is made out to cancel the bail and the petition in hand is rejected. However, a copy of this order be sent to SP, Jhajjar so that the petitioner and his family members can be provided protection taking into consideration the threat perception, if any.

7. Petition stands disposed of.

(Yashvir Singh Rathor)  
Judge

November 06, 2025  
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|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |