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CRM-M-29435-2023
Date of decision: 23.07.2025

...PETITIONER

VERSUS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr.Sukhdeep Singh Sidhu, Advocate with
Mr. Sohailbir Singh Sidhu, Advocate for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

Mr. Mansur Ali, Advocate and
Mr. Amanpreet Kooner, Advocate for respondent No.2.

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ANOOP CHITKARA, J. (ORAL)

FIR No.	Dated	Police Station	Sections
53	23.04.2021	Balongi, SAS Nagar (Mohali)	406/420/120-B IPC

1. Seeking cancellation of bail granted to respondent No.2 in the FIR captioned above vide order dated 21.04.2022, the petitioner has come up before this Court under Section 439(2) of the Code of Criminal Procedure, 1973 (CrPC).
2. Counsel for the petitioner submits that Co-ordinate Bench of this Court had granted anticipatory bail to respondent No.2 on the basis of no objection of the complaint as matter was compromised. However, despite the undertaking made by respondent's counsel, the terms of compromise were not honoured, as such he seeks cancellation of his bail.
3. The accused's counsel submits that the complainant has all the legal rights to proceed, but the ground raised in this petition to cancel the bail are not. It is not a case where the allegation of violation of the bail condition or respondent is influencing the evidence, interfering/hampering in the investigation.
4. While granting bail, this Court has explicitly noted in the following terms:

“ Vide order date 25.08.2021, the arrest of the petitioners was stayed by this Court. Learned senior counsel for the petitioners has submitted that the matter has been amicably settled between the petitioners and the complainant. Counsel for the State, on instructions from the Investigating Officer, has not disputed the factual position. Counsel for the complainant has submitted that he has no objection, if the interim



*bail granted to the petitioners is made absolute.
In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 25.08.2021 is made absolute subject to the conditions envisaged under Section 438(2).”*

5. Complainant was aware of the fact while giving no objection to the petitioner for grant of bail, that this Court is not going to pass a decree, only simply releasing him on bail during the pendency of trial/FIR and after grant of bail, he can not ask the Court to get the term of compromise settled. There is no averments/arguments on behalf of the petitioner, qua the condition under Section 438(2) Cr.P.C which was violated. As such, no ground to cancel the bail is made out.

6. **Petition dismissed in terms mentioned above.** All pending applications, if any, stand disposed of.

23.07.2025
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(ANOOP CHITKARA)
JUDGE

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