



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

**CRM-M No.29299 of 2025 (O&M)
Date of Decision: 26.05.2025**

Jasvir Singh

..... Petitioner

Versus

State of Punjab and others

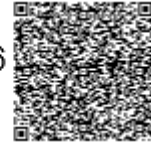
..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Ranwant Singh Sangha, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 (3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) read with Section 528 of the BNSS for cancellation of pre-arrest bail, granted to respondent No.2-Sukhwinder Singh by learned Additional Sessions Judge, Sangrur (*for short 'trial Court'*), vide order dated 12.11.2024 (P-2), which was made absolute vide order dated 27.11.2024 (P-3) in FIR No.154 dated 29.10.2024 (P-1), under Sections 420 & 120-B of the Indian Penal Code, 1860, registered at Police Station Moonak, District Sangrur. Further prayer is



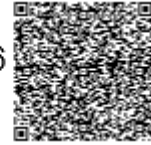
for setting aside the impugned order dated 21.04.2025 (P-4), whereby prayer of petitioner for cancellation of bail was declined by the same Court.

(2) FIR in question was registered on the basis of statement made by petitioner/*de facto* complainant with allegations that marriage of his son, namely, Rajwinder Singh was solemnized with respondent No.3-Simranjit Kaur on 16.11.2019; respondent Nos.2 & 3 induced petitioner to incur all the marriage expenses of ₹ 22,69,750/-. Further alleged that respondent No.3, after reaching Canada, stopped answering phone calls of petitioner as well as his son and thereby deceived them.

(3) Contends that allegations are very serious and complicity of respondent Nos.2 & 3 is well apparent; yet respondent No.2 was granted interim bail vide order dated 12.11.2024 and thereafter, the same was made absolute on 27.11.2024 by learned trial Court.

(3.1) Further contends that respondent No.2 has obtained the said concession of pre-arrest bail by misrepresenting the facts before learned trial Court.

(3.2) Also contends that compromise was effected between the parties for an amount of ₹ 12 Lakh with the stipulation of filing a petition under Section 13-B of the Hindu Marriage Act, 1955 (with mutual consent); whereas only ₹ 6 Lakh were paid to petitioner and rest of the amount remained outstanding.



(4) Heard learned Counsel for the petitioner and perused the paper-book.

(5) In '*State (Delhi Administration) Versus Sanjay Gandhi*', (1978) 2 SCC 411, a three-Judge Bench of Hon'ble the Supreme Court made the following elemental distinction in defining the nature of exercise while cancelling the bail:-

“Rejection of bail when bail is applied for is one thing; cancellation of bail already granted is another. It is easier to reject a bail application in a non-bailable case than to cancel a bail already granted in such a case. Cancellation of bail necessarily involves the review of a decision already made and can by and large be permitted only if, by reason of supervening circumstances, it would be no longer conducive to a fair trial to allow the accused to retain his freedom during the trial.”

(6) There is/are no supervening circumstance(s) pointed out by learned Counsel for petitioner warranting cancellation of bail granted to respondent No.2 wayback on 12.11.2024, which was made absolute vide order dated 27.11.2024. Moreover, he is regularly appearing before learned trial Court and there is no allegation that respondent No.2 has misused the concession of pre-arrest bail or hampered the proceedings in any manner.

(6.1) Apart that, respondent No.2 had joined investigation and this is a matrimonial dispute; therefore, learned trial Court granted bail after due consideration of the matter and as such, no interference is warranted with the same.



(7) In view of the above, there is no option except to dismiss the present petition.

(8) Ordered accordingly.

(9) It is clarified that above observations be not construed as an expression of opinion on merits of the case in any manner.

Pending application(s), if any, shall also stand disposed off.

26th May, 2025
Gagan/Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No