



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

**CRM-M-46764-2025
Date of decision: 27.08.2025**

MANPREET KAUR

...Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. H.P.S.Ghuman, Advocate
for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. This petition has been instituted under section 483(3) of BNSS, 2023 for cancellation of regular bail granted to respondent No.2 by learned Sub Divisional Judicial Magistrate, Nabha, District Patiala vide impugned order dated 25.07.2025 (Annexure P-3) in case arising out of FIR No.07 dated 12.01.2024 registered under Sections 452, 380, 511, 323, 506, 148, 149 of IPC at Police Station Kotwali Nabha, Tehsil Nabha, District Patiala.

2. The allegations in the FIR are that accused Sanjay Kumar along with other co-accused trespassed in the property of the complainant and caused injuries to him and committed theft of the articles belonging to the complainant. Initially, FIR was registered for the offences under Sections 447, 511, 323, 379, 506, 148 & 149 IPC against Inderjit Singh



Narula etc. and three co-accused namely Inderjeet Singh Narula, Gobind Kaur and Ravinder Kaur were arrested and final report was presented against them for the offences under Sections 323, 506/34 IPC and the remaining offences under sections 452, 380, 148, 149 & 201 IPC were deleted on the inquiry conducted by Superintendent of Police. However, another inquiry was conducted by Superintendent of Police and offences under sections 452, 380, 148, 149 & 201 IPC were again ordered to be added before arresting petitioner Sanjay Kumar, despite the fact that challan against co-accused had been presented for the offences under Sections 323, 506/34 IPC. After petitioner was arrested, he was ordered to be released on bail by the Court of Sub Divisional Judicial Magistrate, Nabha vide impugned order dated 25.07.2025.

3. Learned counsel for the petitioner argued that respondent No.2 along with other accused persons after making unlawful assembly had beaten the petitioner and her daughter and stolen goods from the shop in broad daylight. The anticipatory bail filed by respondent no.2 was dismissed, after watching the incident of assault on CCTV footage. Thereafter, respondent No.2 was arrested on 24.07.2025 and was produced before the Learned Magistrate, where he applied for regular bail and learned trial Court allowed the bail application vide impugned order dated 25.07.2025, primarily on the ground that the offences under sections 452, 380, 148, 149 & 201 IPC were ordered to be deleted on the basis of inquiry conducted by Superintendent of Police and thereafter, offences under Sections 452, 380, 148, 149, 201 of IPC were again



added. Learned counsel further contended that the impugned order is illegal and erroneous and learned trial Court did not take into consideration the parameters laid down by the Apex Court for grant and rejection of bail and the impugned order is thus, liable to be set aside.

4. However, after hearing learned counsel for the petitioner and having gone through the material in file, I am on the considered opinion that petition in hand is liable to be dismissed for the reasons discussed hereinafter.

5. Petitioner is seeking cancellation of bail on the ground that Learned Magistrate has not applied mind to the facts in the case and granted bail to the respondent No.2 and the impugned order is arbitrary and illegal. 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 unless and until it is shown that accused are trying to interfere with the course of justice or are attempting to tamper with evidence of witnesses or have threatened the witnesses, which could hamper the investigation and trial. Reference in this regard can be made to judgments passed by this Court in CRM-M 25790-2022 titled as '**Anil Taneja Vs State of Haryana and Others**', decided on 01.09.2022 and CRM-M-39595-2023 titled as '**Surinder Singh vs State of Punjab and Others**' decided on 18.09.2024.

6. In the present case, there is no such allegation and nothing substantial on the basis of which bail already granted can be cancelled. All the offences are Magisterial trial. Final report against co-accused had



been presented for the offences under Sections 323, 506/34 IPC only and before arresting the petitioner, other offences viz. 452, 380, 148, 149 & 201 IPC were again added, after the same were earlier deleted and Learned Magistrate on appreciation of the facts of the case rightly ordered release of respondent on bail in view of overall facts and circumstances of the case. The impugned order thus cannot be termed as arbitrary or perverse in any manner, particularly because all the offences are Magisterial trial punishable with the imprisonment not beyond seven years. In these circumstances, the present petition is liable to be dismissed.

7. As the result of aforesaid discussion, there is no merit in the present petition and same is accordingly dismissed.

8. Pending misc. application(s), if any, shall also stand disposed of.

27.08.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

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