



CRM-M-66323-2025

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

CRM-M-66323-2025

Decided on: 09.12.2025

Ranjak Jasuja

..... Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rajeshwar Singh Thakur, Advocate, for the petitioner.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for cancellation of bail granted to respondent No.2 vide order dated 25.10.2024, in a case FIR No.143, dated 13.05.2024, under Sections 323, 325, 302, 307, 506, 34 IPC, registered at Police Station Sector 50, Gurugram.

2. It has been contended by learned counsel for the petitioner that the petitioner is the author of the FIR, who lodged the FIR No.143, dated 13.05.2024. It is submitted that respondent No.2 had approached this Court praying for grant of bail by way of filing CRM-M-51336-2024 and this Court vide impugned order dated 25.10.2024 pleased to grant bail to respondent No.2. It is submitted that respondent No.2 is involved in heinous offence of committing murder of brother of the petitioner. It is submitted that this Court while granting bail to respondent No.2 has taken into consideration his medical condition that he is suffering from tuberculosis, however, the prescription was issued by a private doctor, which cannot be relied upon. He submits that respondent No.2 had undergone custody of only 03 months and 16 days, which is not sufficient to release him on bail.

It is submitted that the petitioner has assailed the impugned order before



Hon'ble Supreme Court and the same was disposed of by Hon'ble Supreme Court vide order dated 11.08.2025 with a direction to seek cancellation of bail granted to respondent No.2 before the Court concerned. He submits that granting bail to respondent No.2 is in violation of the law settled and the same deserves to be cancelled.

3. After hearing learned counsel for the petitioner and perusing the record, it is deciphered that respondent No.2 approached this Court for the grant of regular bail and the same was granted by this Court vide order dated 25.10.2024. Admittedly, this order was assailed by the petitioner before Hon'ble Supreme Court and the same has been disposed of by Hon'ble Supreme Court vide order dated 11.08.2025 with the following observations:-

“In the facts and circumstances of the case, we are not satisfied that any case for interference is made in exercise of power under Section 136 of the Constitution of India with the order of bail granted by the High Court.

In the even the bail order is misused or the witnesses are threatened, it will be open for the petitioner to seek cancellation before the court concerned.”

It is apparent that Hon'ble Supreme Court had specifically observed that in the event of bail having been misused or in case of threatening the witnesses by respondent No.2, the petitioner was granted liberty to seek cancellation of bail of respondent No.2. There is nothing on record to show that respondent No.2 has misused the concession of bail or had threatened any of the witnesses. This Court at the time of considering bail to respondent No.2 had taken into consideration the attending facts and



circumstances of the case and thus, has arrived at the conclusion of granting bail.

4. In advertent to the distinction, a Bench of two learned Judges of the Hon'ble Supreme Court in **Dolat Ram v. State of Haryana 1995(1) CLJ (Criminal) 26** observed that:

"3. Rejection of bail in a non-bailable case at the initial stage and the cancellation of bail so granted, have to be considered and dealt with on different basis. Very cogent and overwhelming circumstances are necessary for an order directing the cancellation of the bail, already granted. Generally speaking, the grounds for cancellation of bail, broadly (illustrative and not exhaustive) are: interference or attempt to interfere with the due course of administration of Justice or evasion or attempt to evade the due course of justice or abuse of the concession granted to the accused in any manner. The satisfaction of the court, on the basis of material placed on the record of the possibility of the accused absconding is yet another reason justifying the cancellation of bail. However, bail once granted should not be cancelled in a mechanical manner without considering whether any supervening circumstances have rendered it no longer conducive to a fair trial to allow the accused to retain his freedom by enjoying the concession of bail during the trial."

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5. These principles have been reiterated in the judgment titled as **Dataram Singh v State of Uttar Pradesh 2018 (2) SCALE 285, X v. State of Telangana and Another [(2018) 16 SCC 511]** and recently by Division Bench of the Hon'ble Supreme Court in **Himanshu Sharma v. State of**

Madhya Pradesh 2024(2) RCR(Criminal) 68 which has held as under:

"12. Law is well settled by a catena of judgments rendered by this Court that the considerations for grant of bail and cancellation thereof are entirely different. Bail granted to an accused can only be cancelled if the Court is satisfied that after being released on bail, (a) the accused has misused the liberty granted to him; (b) flouted the conditions of bail order; (c) that the bail was granted in ignorance of statutory provisions restricting the powers of the Court to grant bail; (d) or that the bail was procured by misrepresentation or fraud. In the present case, none of these situations existed."

6. There is nothing on record to show that respondent No.2 has ever misused the concession of regular bail or has violated the conditions imposed upon him while granting him regular bail. The parameters regarding granting bail and that of cancellation of bail rest entirely on different footings. This Court does not find any such ground for cancelling the regular bail granted to respondent No.2 by this Court, and thus, finding no merit in the petition, the same is hereby dismissed.

09.12.2025

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned

:

Yes/No

Whether Reportable

:

Yes/No