

CRM-M-63108-2024
Date of Decision: 03.04.2025

...Petitioner

Versus

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Mr. Akshay Kumar, A.A.G., Punjab.

Mr. S.S. Narula, Advocate
for respondents No.2 to 4 and 6.

Mr. Shiv Kumar Sharma, Advocate
for respondent No.5.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
43	21.02.2022	City Kharar, District SAS Nagar	452, 336, 323, 148, 149, 120-B IPC and 25 of Arms Act (Section 307 IPC added later on)

1. Seeking cancellation of bail granted to respondents No.2 to 6 in the FIR captioned above, the petitioner-complainant has come up before this Court under Section 483(3) BNSS, 2023.
2. I have heard counsel for the parties at length.
3. Counsel for the petitioner submits that the accused are not complying with the conditions which were imposed while granting bail to them as they threatened the petitioner on 10.09.2024 for which a representation was given on 19.09.2024. Further they concealed the criminal history from this Court and prayed for cancellation of bail on these grounds.
4. To this, counsel for the accused submits that the petitioner-complainant and some of the accused are living in the same locality and the condition of not entering the radius of 1 km would not be justified, however they are trying to avoid to go near the residence



of complainant. Counsel for the accused submits that they accidentally met at the store and he submits that they will be respectful, decent and rather avoid meeting them.

5. Given above, condition made in para no.20 is modified to the extent that the accused shall not enter the property, workplace, and residence of the petitioner until the statements of all non-official and informal witnesses in the trial are recorded and regarding condition no.21, it is for the State to take action and the complainant has no locus. However, the accused shall not contact, call, text, message, remark, stare, stalk, make any gestures or express any unusual or inappropriate, verbal or otherwise objectionable behavior towards the victim and victim's family, either physically or through phone call or any other social media, through any other mode, nor shall unnecessarily roam around the victim's home and workplace.

6. Grounds taken for cancellation of bail to respondents are not enough.

7. As such, the present petition is disposed of. Liberty reserved to file an application before the trial Court. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

03.04.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.