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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3098/2025 & CRL.M.A. 13693/2025**
RAVINDER KAUR CHADHAPetitioner

Through: Mr. Sandeep Singh and Mr.
Manmohan Singh, Advocates.

versus

THE STATE (THE GOVT. OF N.C.T.OF DELHI) & ANR.

.....Respondents

Through: Mr. Mukesh Kumar, APP for State.
SI Parmendra Kumar, P.S. D.B.G.
Road.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **05.05.2025**

1. The present petition, under Section 483(3) of Bharatiya Nagarik Suraksha Sanhita, 2023,¹ seeks cancellation of bail granted to Mohd. Zahid Qureshi (Respondent No. 2), by order dated 14th May, 2019 passed by the ASJ-04, Central District, Tis Hazari Courts, in FIR No. 67/2019 registered under Sections 307, 452, and 506 of the Indian Penal Code, 1860², 1860 at P.S. D.B.G. Road.

2. The Petitioner is the mother of the Complainant (Simran Kaur), the victim in the said FIR, and is herself a prosecution witness in the case. The allegation against Respondent No. 2 is that he poured kerosene oil on the Complainant and set her ablaze, causing grievous burn injuries. Upon

¹ "BNSS"

² "IPC"

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completion of investigation, charges were framed under the aforementioned provisions. The trial is underway, and the statement of the victim has already been recorded before the Trial Court. The Petitioner, who is herself a prosecution witness and the mother of the victim, alleges that Respondent No. 2 has been extending threats to both her and her daughter, prompting complaints to various authorities, including the Trial Court, the SHO, the DCP, and the Witness Protection Committee. An application seeking cancellation of bail was also moved before the Trial Court under Section 439(2) CrPC, which was dismissed on 12th March, 2025³ as there was no material to establish that Respondent No. 2 had attempted to influence witnesses or intimidate the Complainant, and thus, the allegation that there was breach of bail conditions was not made out. Aggrieved, the instant petition has been filed.

3. Counsel for the Petitioner argues that the Impugned order is erroneous and suffers from incorrect evaluation of the material placed before the Trial Court. It is argued that the apprehension of the Complainant is not speculative but arises from specific acts of intimidation, including alleged threatening conduct by Respondent No.2 inside court premises. Emphasis is placed on the power imbalance between the parties, Respondent No. 2 being an influential local figure, and the vulnerability of the Complainant and her family. It is also submitted that transcripts of certain voice messages and details of WhatsApp calls were placed before the authorities but were not meaningfully acted upon. Instead, the police responded by recording diary entries that unfairly implicated the Petitioner.

4. The Court has considered the submissions and perused the record. It is

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well established in law that once bail has been granted by a competent court, its cancellation is not to be undertaken lightly or on reappraisal of the merits of the case alone. The Supreme Court in ***Dolat Ram v. State of Haryana***,⁴ has held that bail once granted can be cancelled only on cogent grounds such as: (i) misuse of liberty, (ii) attempt to tamper with evidence or influence witnesses, (iii) likelihood of absconding, or (iv) other supervening circumstances indicating that continued liberty would defeat the interests of justice. Mere apprehensions or allegations, unless substantiated by credible material, cannot be a ground for cancellation.

5. In the present case, the Trial Court considered the Petitioner's application meticulously. A status report was sought from the Investigating Officer, who confirmed that Internet Protocol Detail Records (IPDR) had been obtained but could not be analysed due to non-availability of relevant account details from the Complainant. Further, Call Detail Records (CDRs) revealed that 38 calls were made from the Petitioner's mobile number (used by the Complainant) to the number of Respondent No. 2, while only 4 calls were made in return. This discrepancy was flagged by the Trial Court, which called upon the Petitioner and her counsel to provide an explanation, but none was forthcoming.

6. The Trial Court also noted that no transcripts, audio files, or messages indicating actual threats were placed on record. The Investigating Officer categorically recorded that there was no material indicating threat perception at the relevant time. In the absence of such material, the Trial Court correctly found that the stringent standard for cancelling bail had not been met.

⁴1995 SCC (1) 349

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7. While the Court does not disregard the apprehensions of the Complainant, such apprehensions must be founded on tangible and demonstrable acts of intimidation. At this stage, there is no report from the Witness Protection Committee confirming the existence of any threat perception. Though the Petitioner's counsel submits that such proceedings are pending, no interim protection or recommendation has been shown to have been issued in their favour.

8. In such circumstances, the cancellation of bail, which is an exceptional remedy, is not warranted. However, it is clarified that should any credible report emerge from the Witness Protection Committee indicating threat to the safety or well-being of the Complainant or her family, the Petitioner would be at liberty to seek appropriate relief before the Trial Court, which shall be considered on its own merits, in accordance with law.

9. With the above directions, the present petition is disposed of along with pending application.

SANJEEV NARULA, J

MAY 5, 2025/as

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