IN THE HIGH COURT OF JHARKHAND AT RANCHI
CrMP No. 2098 of 2026

Sangita Kumari @ Sangeeta Kumari, aged about 42 years, wife of Tika Ram, Daughter of Maksudan, resident of B36, Panchwati Nagar, Near Shiv Mandi, P.O. & P.S.- Sonari, Town-Jamshedpur, District East Singhbhum, at present residing at L4/17, Cross Road 12, Agrico, P.O. & P.S.- Sitaramdera, Town-Jamshedpur, District- East Singhbhum.

… Petitioner

Versus

1. The State of Jharkhand
2. Tika Ram, aged about 45 years, son of Pyare Lal, resident of H.No. 55/14, Kadma Solke Dispensary Road, Kadma, P.O &P.S.- Kadma, Town – Jamshedpur, Dist.- East Singhbhum … Opp. Parties

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sourav Kumar, Adv.
Mr. Agnivesh, Adv.
For the State : Mr. Abhay Kr. Tiwari, Addl.PP
For the O.P.No. 2 : Mr. Jitesh Kumar, Adv.

02 / 25.09.2026 Heard the parties.

Learned counsel for the petitioner submits that this criminal miscellaneous petition has been filed under section 483 (3) of the BNSS, 2023 by the petitioner with a prayer for cancellation of the bail granted to the opposite party no. 2 herein vide order dated 12.12.2022 passed in ABA No. 3877 of 2022 in connection with Sonari P.S. case no. 211 of 2021 registered for the offences punishable under Sections 498A, 313 and 34 of the IPC and Sections 3 and 4 of the D.P.Act. It is further submitted by learned counsel for the petitioner that the very foundation of the grant of anticipatory bail to the O.P.No. 2 was the settlement agreement executed in the mediation centre but the O.P.No. 2 violated the terms and conditions of the settlement hence it is submitted that prayer as made in this CrMP be allowed.

Learned Addl.PP and learned counsel for the O.P.No. 2 vehemently opposes the prayer of the petitioner and submit that

the anticipatory bill was granted to the O.P.No. 2 without any condition and it being a settled principle of law that the bail cannot be cancelled merely because a compromise has not been given effect to and it is also a settled principle of law as mentioned in Section 22 of the Mediation Act that a proceeding of the mediation will not be taken note of, in any judicial proceeding and it is submitted that there is no allegation against O.P.No. 2 of being indulged in any act or omission which could lead to cancellation of bail granted to the O.P.No. 2, hence, it is submitted that this CrMP being without any merit be dismissed. .

Considering the facts of the case and the submissions made at the Bar and after going through the materials in the record, it is pertinent to mention here that the Hon'ble Supreme Court of India in the case of **Pritpal Singh vs. State of Bihar** reported in **2001 SCC OnLine SC 123**, para-4 and 5 of which reads as under:-

4. *"The dispute raised in the case relates to eviction of the appellant who is the tenant from the premises of which the respondent is the owner. Previously, there was a compromise between the parties in which it was agreed inter alia that the appellant will pay certain amount to the respondent and vacate the premises by the time stipulated. On the allegation that the appellant has failed to comply with the terms of the compromise by not vacating the premises in question within the time stipulated, the petition for cancellation of bail was filed. It is stated by learned counsel for the appellant that neither was any averment made in the petition about misuse of liberty granted to the appellant nor was any difficulty alleged to have been faced by the prosecution in the case on the ground of the appellant being at large.*
5. *The Magistrate cancelled the bail granted to the appellant solely on the ground that the terms of the compromise had not been complied with. To say the least, the ground on which the petition for cancellation of bail was made and was granted is wholly untenable. It is our view that the order if allowed to stand will result in abuse of the process of court. The High Court clearly erred in maintaining the order. Therefore, the order passed by the Magistrate cancelling the bail and the order of the High Court confirming the said order are set aside. The bail order is restored. The appeal is allowed." (Emphasis supplied)*

has held that the bail granted to the accused solely on the ground that the terms of the compromise had not been complied with is untenable. Further, this Court in the case of **Jyotshna Sharma @ Jyotsana Anand vs. State of Jharkhand and Others** passed in CrMP no. 2499 of 2021 dated 01.04.2022, enumerated the following grounds illustratively and though not exhaustive, where the bail granted to the accused can be cancelled:-

(i) by indulging in similar criminal activity,
(ii) interfering with the course of investigation,
(iii) attempted to tamper with evidence or witnesses,

(iv) threaten witnesses or indulges in similar activities which would hamper smooth investigation,
(v) there is likelihood of their fleeing to another country,
(vi) attempted to make themselves scarce by going underground or becoming unavailable to the investigating agency,
(vii) attempted to place themselves beyond the reach of his surety, etc.

Further, Section 22(3) of the Mediation Act, 2023 debars any party to mediation to rely on or introduce as evidence any information or communication set forth in clause (i) to (iv) of Sub Section 1 of Section 22 in any court or tribunal and no court or tribunal shall take cognizance of such information or evidence.

Under such circumstances, this Court after going through the materials in the record, this Court is of the considered view that there is no allegation against the O.P.no. 2 of committing any act of omission which could led to the cancelation of bail of the O.P.no. 2 as is evident in the case of **Jyotshna Sharma @ Jyotsana Anand vs. State of Jharkhand and Others**(supra). Further, there is absolutely no condition imposed in the order by which the anticipatory bill was granted in the case of **Jyotshna Sharma @ Jyotsana Anand vs. State of Jharkhand and Others** except the condition of furnishing bail bond of Rs. 25,000/- and complying the conditions under Section 438 (2) of the CrPC and there is no allegation against the petitioner of either not co-operating with the investigation of the case or not complying with the conditions down under section 438(2) of CrPC.

Under such circumstances this Court is of the considered view that there is no justifiable reason to cancel the bail granted to O.P.No. 2 in terms of the order dated 12.12.2022 passed in ABA No. 3877 of 2022 in connection with Sonari P.S. case no. 211 of 2021.

Accordingly, this Criminal Miscellaneous Petition being without any merit is dismissed.

(**ANIL KUMAR CHOUDHARY, J.)**

Dated 25.09.2026
AFR Smita/-