



CRM-M-5787-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.119

CRM-M-5787-2025
Date of Decision: 23.02.2026

GOVIND

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Raghav Sharma, Advocate
for the petitioner.

Mr. Sushil Bhardwaj, Addl. A.G. Haryana.

Mr. Sukhdeep Singh, Advocate
for respondents No.2 to 6.

MANDEEP PANNU, J. (Oral)

1. The present petition has been filed under Section 528 read with Sections 480(5) and 483 of the BNSS, 2023, for quashing/setting aside order dated 24.12.2024, whereby the application for cancellation of regular bail granted to respondents No. 2 to 6 vide Bail Application No. 5038 of 2023, decided vide order dated 02.01.2024, and Bail Application No. 135 of 2024, decided vide order dated 16.01.2024, passed by the learned Additional Sessions Judge, Kurukshetra, in FIR No.0460, dated 24.11.2023, registered at Police Station Kunjpura, District Karnal, under Sections 148, 149, 308, 323, 325, 452 and 506 IPC, has been dismissed.

2. Learned counsel for the petitioner contends that the impugned order dated 24.12.2024 dismissing his application for cancellation of regular bail granted to respondents No. 2 to 6 is illegal, arbitrary and liable to be set



aside, as the Court below failed to properly appreciate the material placed on record, including audio recordings and supporting documents demonstrating that the accused persons had been persistently threatening the petitioner and prosecution witnesses in order to deter them from giving evidence. It is asserted that despite specific allegations of intimidation, assault and criminal conspiracy committed by the accused after grant of bail, the learned Court did not consider these supervening circumstances in their correct perspective. He further submits that the FIR in question arose from a serious incident in which the accused forcibly entered his house, assaulted his father with weapons causing grievous injuries, intimidated family members, and threatened them with dire consequences, and therefore, the conduct of the accused subsequent to release on bail clearly shows misuse of concession of bail. It is also contended that the verification report relied upon by the Court below is unreliable and based on statements of interested witnesses, whereas the petitioner's version is supported by medical evidence and contemporaneous complaint. On these grounds, it is argued that the order refusing cancellation of bail suffers from non-application of mind and warrants interference by this Court.

3. The learned State counsel, while opposing the petition, submitted in brief that the application seeking cancellation of regular bail had been duly considered and rightly dismissed by the learned trial Court vide order dated 24.12.2024 after appreciating the entire material placed on record. It was argued that the trial Court had specifically taken into account the verification report obtained from the police pursuant to its directions, wherein the Investigating Agency conducted an enquiry and recorded



statements of independent witnesses including Pawan Kumar, Sunny and Pardeep, who categorically stated that no incident of assault, threat or intimidation as alleged by the complainant had taken place in their presence and that the allegations made by the complainant were false. The police report further indicated that during investigation the allegations regarding snatching of mobile phone and threats were not substantiated and certain persons named by the complainant were even found innocent. It was thus contended that in view of these verification findings, no violation of bail conditions or misuse of concession of bail was established against respondents No. 2 to 6, and therefore, no ground existed for cancellation of bail. The State counsel emphasized that cancellation of bail requires cogent material showing misuse of liberty or interference with the administration of justice, which was conspicuously absent in the present case as per the police enquiry as well as the trial Court's reasoned order.

4. The learned trial Court, upon consideration of the application for cancellation of regular bail, the reply of the respondents-accused, the record produced, and the verification report submitted by the Investigating Officer, arrived at the conclusion that no cogent or legally sustainable ground for cancellation of bail was made out. It was noticed that although allegations were levelled by the complainant that the accused had threatened witnesses and misused the concession of bail, the verification conducted pursuant to directions of the Court did not substantiate those allegations. The statements of material witnesses, including the persons allegedly threatened, did not support the version of the complainant and, rather, indicated that no such threats had been extended. The trial Court further observed that the



complainant had failed to produce any reliable or independent material demonstrating breach of bail conditions or interference with the administration of justice. It was, therefore, held that in the absence of any supervening circumstance or credible evidence showing misuse of liberty, the extraordinary power of cancellation of bail could not be exercised. Resultantly, the application for cancellation of bail was dismissed.

5. After hearing learned counsel for the parties and upon careful scrutiny of the record, this Court is of the considered view that the impugned order passed by the learned trial Court does not suffer from any illegality, perversity, or jurisdictional error warranting interference in the present petition. The parameters governing cancellation of bail are well settled. Once bail has been granted, it cannot be cancelled in a mechanical manner unless there are clear and convincing circumstances such as misuse of liberty, attempt to influence witnesses, tampering with evidence, evasion of justice, or violation of bail conditions.

6. In the present case, the allegations relied upon by the petitioner-complainant were duly examined at the trial Court level through a verification exercise conducted by the Investigating Officer, and the report so submitted specifically negates the allegations of threats or intimidation. Statements of the very witnesses cited by the complainant do not corroborate his assertions, rather, they contradict them. This materially weakens the substratum of the plea seeking cancellation of bail.

7. This Court further finds that the trial Court correctly appreciated the distinction between rejection of bail at the initial stage and cancellation of bail already granted. The latter requires a higher threshold of



proof and the existence of supervening circumstances, which must be of such a nature as to render the continuance of liberty prejudicial to a fair trial. No such circumstance has been demonstrated herein. Mere reiteration of allegations, unsupported by independent material, cannot justify curtailment of personal liberty once granted by a judicial order. The record also does not disclose any violation of bail conditions or any conduct on the part of the accused that could reasonably create apprehension of interference with the course of justice.

8. This Court finds that the petitioner has not been able to point out any material irregularity in the reasoning of the trial Court, nor any misreading of evidence, nor any omission to consider relevant material. The impugned order reflects due application of judicial mind, correct appreciation of law relating to cancellation of bail, and a balanced assessment of factual circumstances. The conclusions drawn therein are plausible, legally sustainable, and supported by the record. Accordingly, no ground is made out for exercise of inherent or revisional jurisdiction to upset the said order.

9. The trial Court has also rightly held that when allegations forming the very basis of the prayer for cancellation stand unsubstantiated in official verification, and when the material witnesses themselves do not support the complainant's allegations, it cannot be said that the accused have misused the concession of bail or that their liberty poses any threat to the fairness of trial. Such a finding is fully borne out from the record and calls for no interference.



10. Consequently, this Court finds no merit in the present petition, and the same is dismissed, holding that there is no illegality or infirmity in the order passed by the learned trial Court declining the prayer for cancellation of regular bail.

11. However, anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

12. All pending applications, if any, also stand disposed of.

23.02.2026

Anu

Whether speaking/reasoned

Whether reportable

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Yes/No

Yes/No

(MANDEEP PANNU)
JUDGE