

CRM-M-33188-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33188-2025 (O&M)

Reserved on: 30.01.2026

Date of decision: 10.02.2026

IXXXXX

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

1	The date when the judgment is reserved	30.1.2026
2	The date when the judgment is pronounced	10.02.2026
3	The date when the judgment is uploaded on the website	11.2.2026
4	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof.	N.A.

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Argued by: Mr. Mansur Ali, Senior Advocate with
Mr. Vaibhav Garg, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. Deepak Aggarwal, Advocate for respondent No.2.

KIRTI SINGH, J.

1. The instant petition under Section 483(3) of BNSS has been filed seeking cancellation of anticipatory bail granted to respondent No.2 vide impugned order dated 05.12.2024, passed by the learned Addl. Sessions Judge, Fast Track Special Court, Patiala in case FIR No.184 dated 17.10.2024 under Sections 376, 506 and 120-B of IPC, registered at Police Station, Sadar Nabha, District Patiala.



2. The contents of FIR are reproduced hereinafter.

"At this time, one complaint No.6094/Peshi dated 16.10.2024 after enquiry by Superintendent of Police City Patiala was received at police station through dak for registration of case FIR against Vineet Sood son of Pardeep Sood, resident of House NO. C-22, Focal Point, Industrial Area, Nabha Tehsil Nabha, District Patiala, the contents of which are as under: "To Hon'ble Superintendent of Police (SSP) for Patiala. registration Subject:-Application of FIR against the accused persons mentioned below 1. son of Shanti Pardeep Sood Sarup (Mobile No. 98141-25868), 2. Ramneet Vineet Sood Sood wife of Pardeep Sood, 3. son of Sh. Pardeep Sood (Mobile No. 98883-All residents of 24936) Focal Point, House No. 22, Industrial Area, Nabha, Tehsil Nabha District Patiala.. 1. It is submitted as under:-1. respectfully That I am xxxx aged about 32 years Sh. Pardeep Sood permanent daughter of resident of House No. C-22, Focal Point Industrial Area, Nabha, Tehsil Nabha District Patiala. 2. That Accused No. 1 and No. 2 are the parents applicant, who legally applicant Mother from Chandigarh on 26.11.1993 adopted Teresa by of the the Home, written adoption Deed when the applicant was less than 1 year of age. Copy of the Adoption deed is attached herewith. 3. That after adopting the applicant started residing with all the above said accused of the above said address of accused persons and the applicant grew up in the said house the and as when the applicant attained knowledge about the life, she realized that she was being treated as No. a 2 step and daughter by accused 1 and accused No. 3 instead of considering the applicant as his sister, he used to molest and sexually harass and committed repeated rape upon the applicant as and when he get the chance. That the accused No. 3 was 4. a bad to face the rape as always keeping eye upon the applicant and he sexually harassed applicant and com committed repeatedly upon the applicant by not treating her his real sister and he always threatened the applicant not to disclose his illegal acts to anybody and in case she does the applicant will have the dire consequences and due to the fear created by accused No. 3, the applicant remained mum for a long time but ultimately by taking courage she disclosed all the illegal activities of the accused No. 3 but accused No. 1 and 2 did not bother about the illegal activities of accused No. 3 but supported their real son and even blamed the applicant. 5. That the applicant was always treated badly by the above said and the accused persons applicant kept on tolerating the illicit act of the accused No. 3 and continued her to studies in all adverse circumstances and in year 2015, the applicant completed her higher studies and used commute from Nabha to Patiala by bus despite the fact that there were many vehicles available in the house and the applicant was made to stay out of the house by the accused No. 1 and 2 with the assurance to maintain and upbringing her and further convinced the complainant that she will be out of the 3. 6. That on grip of accused No. 08.04.2017 the applicant joined as a teacher in Budha Dal Public School, continued her services till 09.11.2021 over there and from the said earnings the applicant used to incur all her expenses by her own and the above noted accused persons stop giving any financial support to the applicant in all manner and even started telling the applicant directly indirectly not to come to the above noted house and further stated that the



applicant has no relations with them and further threatened the applicant will be criticized before the relatives, friends by raising question case she do not on bow her character in to conditions of the accused. the 7. terms and That the accused persons applicant requested the that she has no one in the world except the accused and further requested them to keep her with them as their daughter but the accused persons openly proclaimed that the applicant has leveled false allegations upon their son and have lowered down their reputation and as such they have no relations with her, whereas the applicant on account of the family relationship, only told accused No. 1 and 2 about the misdeeds being done by accused No. 3 with the applicant number of times and accused No. 3 till today is blackmailing the applicant and the applicant is living the life under fear and stress due to the act and conduct of accused No. 3 in connivance with accused No. 2 and 3. That the accused created 8. such an environment for an applicant she suffered physically, emotionally, mentally and the applicant started feeling as she has her if lost entire world because except the above said accused persons, the applicant had no other relations but the accused did applicant, not bothered to for console the her tried never rather used to tell the applicant through various known, friends and relatives that not she has no right, title, authority in the estate of the accused and they do bothered about the legal consequences qua the rights of the applicant being adopted daughter. other 9. remedy That the applicant has except to approach no your goodself with the request to get justice to the applicant on account of atrocities being committed by all the accused persons with the applicant. It is, therefore, prayed that the application may kindly and on the application of the inquiry applicant may kindly be got conducted from a police officials not below the rank of SP and FIR may kindly be ordered to registered against under the accused persons various provisions of law. Submitted by Sd/- xxxx aged about 32 years daughter of Sh. Pardeep Sood permanent resident of House No.C-22, Focal Point Industrial Area, Nabha, Tehsil Nabha District Patiala Mobile 98889xxx”

3. Learned Senior counsel for the petitioner submits that the petitioner was adopted by Sh. Pardeep Sood on 27.11.1993 from the Missionaries of Charity (Mother Teresa), Sector 23-A, Chandigarh. It is further submitted that Sh.Pardeep Sood is the biological father of respondent No.2. After few years of the adoption, both respondent No.2 and his father-Sh. Pardeep Sood, started ill-treating the petitioner, and respondent No.2 even subjected the petitioner to sexual assault. However, due to complete dependence on the adoptive father, the petitioner could not report the matter to the authorities prior to the registration of the instant FIR, whereinunder

after securing anticipatory bail, respondent No.2 began openly threatening

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the petitioner, prompting her to file a complaint with the authorities. Thereafter, respondent No.2 applied for grant of anticipatory bail before the learned Addl. Sessions Judge, Patiala, which was allowed vide impugned order dated 05.12.2024 on the ground that the petitioner has joined the investigation. He, therefore, submits that the anticipatory bail granted to the petitioner deserves to be cancelled.

4. The learned State counsel submits that the learned trial Court after due consideration of the facts of the case and the evidence adduced, allowed the application for bail filed before it.

5. Learned counsel for respondent No.2 submits that respondent No.2 is, in law, the brother of the petitioner. He and his parents had showered love and affection to the petitioner after her adoption, but later on she started demanding her share in the property and even started giving false and frivolous complaints against him and even against his parents. One of such complaints is dated 06.02.2024 (Annexure R-2/1), wherein, after due inquiry by the Superintendent of Police (City) Patiala, the same was found to be false and was recommended to be consigned vide report dated 24.04.2024. It is submitted that qua the property disputes, the petitioner has even preferred a civil suit bearing No.600 of 2021 in the Court of learned Civil Judge, Nabha for declaration. However, when the petitioner failed to get any relief in the civil suit, with the sole motive to coerce their parents with regard to her demands of share in the property, she got lodged the instant FIR by levelling false and baseless allegations.

6. Heard learned counsel for the parties and perused the case record with their able assistance.



7. Perusal of the record shows that it was only after respondent No.2 had joined and cooperated in the investigation, that his petition for anticipatory bail was allowed on 05.12.2024. Further, it has come on record that, an SIT was constituted comprising of SP (HQ), Patiala; DSP (HQ), Patiala and SHO, PS Nabha on the application filed by the petitioner for thorough investigation of the matter. The SIT vide its report dated 26.12.2024 recommended the cancellation of the present FIR. Feeling aggrieved with the said report, the petitioner requested for constitution of another SIT and further investigation. The request of the petitioner was considered and a new SIT was constituted, which too, upon a thorough investigation into the matter, including the averment of threats being made by respondent No.2 after the grant of anticipatory bail to him, recommended the cancellation of the present FIR finding no credence in the allegations made by the petitioner.

8. As per the settled proposition of law, once bail has been granted, it would require cogent and overwhelming circumstances for its cancellation. The order granting bail can only be revoked by the Superior Court while granting the said concession ignored the relevant material available on record, as has been observed by Hon'ble Supreme Court in ***Vipin Kumar Dhir Vs. State of Punjab, 2021 SCC Online SSC 854.***

9. In ***Ms. X vs The State of Telangana (2018) 16 SCC 511***, Hon'ble Supreme Court held that:

"In a consistent line of precedent this Court has emphasised the distinction between the rejection of bail in a non-bailable case at the initial stage and the cancellation of bail after it has been granted. In adverting to the distinction, a Bench of two learned Judges of this Court in Dolatram v State of Haryana [(1995) 1 SCC 349] observed that:



“Rejection of a 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 the bail, already granted, 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.”

*These principles have been reiterated by another two Judge Bench decision in Central Bureau of Investigation, **Hyderabad v Subramani Gopalakrishnan (2011) 5 SCC 296** and more recently in **Dataram Singh v State of Uttar Pradesh (2018) 3 SCC 22**:*

“It is also relevant to note that there is difference between yardsticks for cancellation of bail and appeal against the order granting bail. Very cogent and overwhelming circumstances are necessary for an order directing the cancellation of bail already granted. Generally speaking, the grounds for cancellation of bail 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 concessions granted to the accused in any manner. These are all only few illustrative materials. The satisfaction of the Court on the basis of the materials placed on record of the possibility of the accused absconding is another reason justifying the cancellation of bail. In other words, 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.”

10. A three Judge Bench of the Hon’ble Supreme Court in **Deepak Yadav Vs. State of Uttar Pradesh and another, (2022) 8 SCC 559**, speaking through Justice Krishna Murari, observed as follows:

“33. It is no doubt true that cancellation of bail cannot be limited to the occurrence of supervening circumstances. This Court certainly has the inherent powers and discretion to cancel the bail of an accused even in the absence of supervening circumstances.



Following are the illustrative circumstances where the bail can be cancelled:

33.1. Where the Court granting bail takes into account irrelevant material of substantial nature and not trivial nature while ignoring relevant material on record.

33.2. Where the Court granting bail overlooks the influential position of the accused in comparison to the victim of abuse or the witnesses especially when there is prima facie misuse of position and power over the victim.

33.3. Where the past criminal record and conduct of the accused is completely ignored while granting bail.

33.4. Where bail has been granted on untenable grounds.

33.5. Where serious discrepancies are found in the order granting bail thereby causing prejudice to justice.

33.6. Where the grant of bail was not appropriate in the first place given the very serious nature of the charges against the accused which disentitles him for bail and thus cannot be justified.

33.7. When the order granting bail is apparently whimsical, capricious and perverse in the facts of the given case.”

11. Learned counsel for the petitioner has not been able to indicate any reasons necessitating cancellation of bail granted to respondent No.2. Nowhere it has been indicated that the sanctity of the trial will be adversely affected, if respondent No.2 continues to enjoy the concession of bail. It has also not been established that there was any violation of the terms and conditions of bail at the end of respondent No.2. Mere averments, in the absence of any material to substantiate the same, cannot be made the basis of seeking the cancellation of bail, the scope of interference qua which is already limited.

12. In view of the above discussion, this Court is of the considered view that the cancellation of bail granted to respondent No.2 would not meet the objective standard of reason and justice. Learned counsel for the petitioner has been unable to indicate any perversity in the impugned order dated 05.12.2024, or demonstrate any conduct on the part of respondent No.2 that would warrant interference by this Court.

13. In view of the aforesaid and in light of the judgments cited herein above, the petition is dismissed.

Pending miscellaneous application(s), if any, also stands disposed of.

February 10, 2026

Ithlesh

(KIRTI SINGH)
JUDGE

Whether speaking/reasoned:-

Whether reportable:

Yes/No

Yes/No