

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

-.-

CRM-M-34955-2025 (O&M)

Date of Decision : 26.02.2026

Jagtar Khan

....Petitioner

Versus

State of Punjab and Others

....Respondents

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Mohd. Salim, Advocate for the petitioner.

Mr. H.S.Wadhwa, DAG Punjab.

Mr. Nandan Jindal, Advocate
Ms. Parneet Kaur, Advocate and
Ms. Jasmine, Advocate.

-.-

MANDEEP PANNU J. (Oral)

1. This is a petition under Section 483(3) of the BNSS Act, 2023, read with Section 528 of the BNSS Act, 2023, for setting aside/cancellation of the order dated 14.07.2023 passed by this Court, whereby regular bail was granted to respondent No. 3/accused in case FIR No. 0203 dated 14.07.2019 under Sections 302 and 34 IPC, registered at Police Station Bhawanigarh, District Sangrur.

2. The brief facts are that respondent No. 3 is an accused in FIR No. 0203 dated 14.07.2019 under Sections 302 and 34 IPC, registered at Police Station Bhawanigarh, District Sangrur, pertaining to the murder of the petitioner's brother, and the petitioner is the prime eye-witness in the said case. Respondent No. 3 was granted regular bail by this Court vide order dated 14.07.2023 in CRM-M-17726 of 2023. It is alleged that after being released on bail, respondent No. 3 misused the concession of bail by threatening and pressurizing the petitioner not to depose against him and to enter into a compromise, and upon refusal, respondent No. 3

along with co-accused attacked and caused injuries to the petitioner, leading to registration of FIR No. 95 dated 06.06.2025 under Sections 126(2), 115(2), 351(3), 3(5) of the BNSS Act, 2023, and preparation of MLR dated 26.05.2025/27.05.2025. It is thus alleged that respondent No. 3 has violated the terms and conditions of bail, attempted to influence the prime witness, and thereby rendered himself liable for cancellation of bail.

3. It is contended on behalf of respondent No. 3 that the present petition for cancellation of bail has been filed with an oblique motive and without any valid ground. It is submitted that respondent No. 3 has not misused the concession of regular bail granted by this Court vide order dated 14.07.2023 and has neither threatened nor pressurized the petitioner to compromise the matter. It is further submitted that in the main case arising out of FIR No. 0203 dated 14.07.2019 under Sections 302 and 34 IPC, all the prosecution witnesses have already been examined, the prosecution evidence stands closed, the statement of the accused under Section 313 Cr.P.C. has also been recorded, and the case is now fixed for defence evidence and arguments. It is argued that there was no occasion for respondent No. 3 to influence any witness at this stage and that the subsequent FIR No. 95 dated 06.06.2025 has been falsely registered only to create a ground for cancellation of bail, and even otherwise, the alleged injuries are simple in nature and respondent No. 3 has already been granted bail in the said case.

4. After hearing learned counsel for the petitioner/complainant assisted along with learned State counsel and learned counsel for respondent No. 3/accused, and after perusing the record, this Court is of the considered view that no case for cancellation of bail is made out. It is not disputed that the testimony of all the prosecution witnesses has already been recorded, the prosecution evidence

case is fixed for defence evidence and arguments. In such circumstances, even if it is assumed for the sake of arguments that some altercation had taken place between the parties resulting in simple injuries to the petitioner, merely on that count it cannot be said that respondent No. 3 has misused the concession of bail or is pressurizing the complainant to enter into a compromise, particularly when the statements of the material witnesses have already been recorded. Once the evidence has been concluded, there remains no occasion for respondent No. 3 to prevent the petitioner from pursuing the trial, as alleged.

5. Consequently, finding no supervening circumstances warranting cancellation of bail, the present petition is dismissed.

6. However, it is clarified that any observation made herein is only for the purpose of deciding the present petition and shall not be construed as an expression on the merits of the case at trial.

7. Pending application(s), if any, is/are disposed of.

February 26, 2026
tripti

(MANDEEP PANNU)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No