



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(206)

CRM-M-43817-2025 (O&M)

Date of Decision: 29.01.2026

AMANDEEP KAUR

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Janak Singh Bhinder, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. Saurabh Sharma, Advocate for respondent No.2.

KIRTI SINGH, J. (ORAL)

The instant petition under Section 483(3) of BNSS has been filed seeking cancellation of anticipatory bail granted by this Court to respondent No.2 in case FIR No.157 dated 26.10.2024 under Sections 354, 354-A, 406, 498-A and 120-B of IPC, registered at Police Station, Sadar Patiala, District Patiala vide impugned order dated 08.04.2025 passed in CRM-M-10019-2025.

2. The brief facts as culled out from the present FIR are that the marriage of the petitioner was solemnized with Sukhwinder Singh on 02.12.2016. It is the case of the petitioner that at the time of her marriage sufficient amount was spent by her parents and gifts were also given to her in-laws family. However, soon after the marriage, the in-laws family of the petitioner allegedly started harassing her for demand of dowry. It was upon these allegations that the instant FIR was got lodged by the petitioner against

her in-laws family.



3. Learned counsel for the petitioner submits that this Court had granted the concession of anticipatory bail to respondent No.2 in view of the fact that the matter was settled between the parties. However, as per the settlement respondent No.2 has failed to send the petitioner abroad, thus has not complied with the compromise, and he is even threatening the petitioner to withdraw the present FIR. He, therefore, submits that the anticipatory bail granted to the petitioner deserves to be cancelled.

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

5. Learned counsel for respondent No.2 submits that the petitioner has deliberately suppressed the distorted material facts, particularly true scope and legal effect of the settlement arrived at before the Mediation Centre, District Courts, Patiala, and has attempted to give the settlement and interpretation that never intended or agreed upon by respondent No.2. He further submits that as per the terms and conditions of the settlement, respondent No.2 and her husband applied for visa for U.K. for the petitioner through the agent of her choice and even made the payment for the same. However, the visa application was declined by the U.K. Embassy and the grounds of refusal was also supplied to the petitioner. Thus, respondent No.2 has duly obeyed the terms and conditions of the settlement and it is the petitioner who has filed the instant petition with ulterior motives just to harass respondent No.2, which is an abuse of the process of law.

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

7. Perusal of the record shows that the instant FIR is an outcome



it was only after respondent No.2 joined and cooperated in the investigation that her petition for anticipatory bail was allowed on 08.04.2025. Meanwhile, a settlement was arrived at between the parties before the Mediation Centre at Patiala. As per the terms of the same, respondent No.2 had duly extended all support for application of the petitioner for a visa to the U.K. However, the same was declined by the U.K. Embassy. Be that as it may, in no way can the same be understood as a violation of the terms of the settlement, so as to seek cancellation of anticipatory bail granted to respondent No.2, who in fact is the mother-in-law of the petitioner.

6. 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.***

7. 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 of 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.”

8. 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.”*

9. Learned counsel for the petitioner has not been able to indicate any reasons necessitating cancellation of bail 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 settlement at the end of respondent No.2. The scope of interference by the Courts qua cancellation of bail is rather limited and adjudication upon the alleged facts, does not fall within its purview.

10. 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 08.04.2025, or demonstrate any conduct on the part of respondent No.2 that would warrant interference by this Court.

11. 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.

(KIRTI SINGH)
JUDGE

January 29, 2026
Ithlesh

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No