



CRM-M-58995-2025

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

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CRM-M-58995-2025

Reserved on: 03.02.2026

Pronounced on: 13.02.2026

BALVINDER SINGH

.....PETITIONER

Versus

STATE OF PUNJAB AND ANOTHER

..... RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Vaibhav Sharma, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. Loveneet Thakur, Advocate with
Mr. S.S. Cheema, Advocate
for the respondent No.2.

SURYA PARTAP SINGH, J.

1. This is petition for cancellation of bail has been filed by the petitioner with regard to a case arising out of FIR No.48 dated 21.02.2025 under Sections 109, 333, 324(4), 303(2), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023 read with Sections 25, 27 of the Arms Act, 1959, Police Station Division No.7, District Ludhiana.

2. With regard to above-mentioned FIR, the respondent No.2 was



arrested by the police, who approached this Court for the benefit of bail vide CRM-M-21733-2025. The above-mentioned petition was allowed by this Court on 10.07.2025 and the respondent No.2 was ordered to be released on bail during the pendency of trial, subject to the condition of furnishing bonds to the satisfaction of learned Illaqua Magistrate/trial Court/Duty Magistrate.

3. The present petition has been filed for cancellation of above-mentioned bail on the ground that the respondent No.2 has systematically and egregiously violated the implicit condition of bail, and that he has indulged in abusing the liberty granted to him, by threatening and intimidating the witnesses and also by interfering in the administration of justice. It has also been alleged that the police officials are also in collusion with the respondent No.2, and that they have been helping the respondent No.2 in sabotaging the trial.

4. It has been alleged by the petitioner that the respondent No.2 has been threatened by the petitioner of dire consequences and that the respondent No.2 has launched multiple violent attacks on the property of petitioner and also tried to physically eliminate the petitioner and his family. It has also been alleged by the petitioner that he has received international calls, from UK number, by the gangster, who threatened the petitioner that either the petitioner should surrender the disputed property or the petitioner would be eliminated.

5. In addition to above, the petitioner has also alleged that on release from jail on 11.07.2025, the petitioner on 15.07.2025 visited the property of petitioner and threatened him. According to petitioner the above-mentioned act of the respondent No.2 was duly captured in CCTV cameras installed at the periphery of Grewal farm, and that the above-mentioned action of the



petitioner amounted to abrasion violation of implicit condition of bail and therefore, the same was immediately reported to Assistant Commissioner of Police, East Ludhiana and SHO through Whasapps messages alongwith the video footage.

6. The learned counsel for the petitioner has alleged that on 15.07.2025 also the respondent No.2 arrived at the guard tower of Grewal farm in a car bearing No.PB-10-ED-0006 and threatened the petitioner and his family members of dire consequences, and that he also clicked the pictures of the property. As per petitioner with regard to above-mentioned incident, he had filed a complaint before the Commissioner of Police, and that after five days of above-mentioned incident, i.e on 20.07.2025, the son of the petitioner was attacked by masked persons forcing the petitioner and his entire family to remain confined inside their home, on account of fear. It has also been alleged by the petitioner that despite supported with evidence like CCTV footage, no action has been taken by the police. Hence the present petition seeking for cancellation of bail.

7. Heard.

8. While supporting the contents of above-mentioned petition, the learned counsel for the petitioner has contended that the respondent No.2 is a person having criminal background, who has been found involved in multiple criminal cases, and that despite being on bail, he has been regularly visiting the locality, where the petitioner and his family is residing and has been threatening them not only by gestures but by words also.

9. According to learned counsel for the petitioner the above-mentioned conduct of the petitioner, which is in utter violation of bail



condition, has been recorded in CCTV cameras, and that there is a persistent threat to the life and property of the petitioner and his family members. According to learned counsel for the petitioner despite reporting the matter to the police, the police who is hand in glove with the respondent No.2, is not taking any action. As per learned counsel for the petitioner the above-mentioned conduct of the police is reflected from the fact that a DDR has been got recorded by the respondent No.2 in a very deceptive manner, with *mala fide* intentions and the petitioner was arrested by ASI Dinesh Kumar, who had summoned the petitioner to the Police Station Division No.07 on 20.09.2025 under the false pretext of recording his statement with regard to complaint dated 25.07.2025. While claiming that repeatedly the petitioner has been misbehaving, which amounts to misconduct and violation of the condition of bail with impunity, the learned counsel for the petitioner had sought for the cancellation of bail awarded to the respondent No.2.

10. The learned counsel for the respondent No.2 has controverted the above-mentioned arguments. It has been contended by learned counsel for the respondent No.2 that in the present case with regard to the incident, wherein the respondent No.2 was taken into custody, there are allegations and counter allegations by both the parties, and that the respondent, who was already arrested by the police after the incident, was behind the bars, and that with regard to same incident, a DDR has been lodged by the police and the matter is being investigated.

11. According to learned counsel for the respondent No.2 although it may be a debatable question as to whether after filing of challan against one party further investigation without permission of the Court can be conducted



by the police or not, but the conduct of such investigation in itself cannot be a ground to draw an inference that police is favouring the respondent No.2. According to learned counsel for the respondent No.2 otherwise also the above-mentioned ground is no ground for the cancellation of bail

12. With regard to other allegations of the petitioner that the respondent No.2 had visited street, wherein the property of petitioner are situated and his presence was captured in CCTV camera, it has been contended by learned counsel for the respondent No.2 that there is no allegations against the respondent No.2 that he had trespassed into the property of petitioner or that he had ever harmed the petitioner or his family members. As per learned counsel for the respondent No.2, if any incident has taken place with the family member of petitioner, the same cannot be attributed to the respondent No.2 unless there is any nexus between such incident and the respondent No.2. While contending that the benefit of bail once accorded to accused should not be withdrawn merely on the asking of complainant (petitioner herein), it has been agreed by learned counsel for the respondent No.2 that a false story has been build up by the petitioner just to settle his score with the respondent No.2, and that in the present case no ground for cancellation of bail is made out.

13. The record has been perused carefully.

14. As far as the instant case is concerned there is no denial of the fact that the respondent No.2 is facing trial for the commission of offence punishable under Sections 109, 333, 324(4), 303(2), 191(3), 190 of BNS, 2023 read with Sections 25, 27 of the Arms Act, 1959. It is also an admitted fact that the above-mentioned prosecution has been launched at the instance of petitioner.



15. In addition to above, it is also a matter of record that the respondent No.2 has already been accorded the benefit of bail, and that on the complaint of respondent No.2, one DDR has been registered. In the light of above-mentioned admitted facts if the facts and circumstances of the present case are summarized, it transpires that the petitioner and the respondent No.2 are locked in multiple disputes including property dispute and that both the parties have been prosecuted by the police.

16. With regard to visit of respondent No.2 to the street outside the residential house of the petitioner firstly no action has been taken by the police which means that as per assessment of police officials there is no threat to the life and property of petitioner and secondly the petitioner qua above-mentioned incident, on failure of police authorities to take action, has not taken any further action such as filing complaint in the Court.

17. In the present case a bare perusal of the present petition shows that by magnifying the events i.e. visit to the street outside the house of the petitioner by the respondent No.2 the petitioner is trying to build up a case that there is a threat to the petitioner but in fact there is no concrete evidence to establish the same. Although the parties in the present case, who are locked in property dispute resulting into criminal litigation, may be apprehensive of each other yet in the opinion of police authorities there is no such threat, and therefore, it is held that no ground for cancellation of bail is made out.

18. As a sequel to above-mentioned observations, it is hereby observed that any justified ground for withdrawal of the benefit, which has already been accorded to the respondent No.2 is not made out, and that the present petition seeking for cancellation of bail being devoid of merit deserves



dismissal. Hence, the same is hereby **dismissed**, accordingly

(SURYA PARTAP SINGH)
JUDGE

13.02.2026;	Whether speaking/reasoned	Yes/No
<i>vipin</i>	Whether reportable	Yes/No