

2026 PHHC 061270



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

203

**CRM-M-61126-2025 (O&M)
Decided on : 22.04.2026**

Baljinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vikas Kumar, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Arun Takhi, Advocate
for respondent No. 2 (through VC).

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner seeking cancellation of anticipatory bail granted to respondent No. 2-Mohinder Ram in case bearing FIR No. 165 dated 30.09.2024, registered under Section 318(4) of BNS, 2023 and Section 13-A of the Punjab Village Common Land Regulation Act at Police Station City Nawanshahr, District SBS Nagar, vide orders dated 06.11.2024 and 13.11.2024, passed by the Court of learned Additional Sessions Judge, SBS Nagar.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the petitioner/complainant Baljinder Singh as power of attorney of Simranjit Singh alleging that on 22.03.2022, respondent No. 2

Mohinder Ram had executed an agreement to sell a plot measuring 1 Marla 1 Sarsahi situated in the revenue estate of village Guajjarpur Kalan in favour of Simranjit Singh. Possession of that plot was handed over in pursuance of the agreement. However, it was subsequently revealed that the said plot actually belonged to Panchayat Deh land and fell in Khasra No. 78/79 measuring 1 Kanal 4 Marlas. Respondent No. 2 by carving out plots in this Khasra had sold the same to different persons including Simranjit Singh, thereby cheating the Gram Panchayat. On receipt of the complaint, detailed inquiry was conducted and it was revealed that he had acted as a power of attorney holder of Sukhwinder Kaur wife of Balwinder Kaur and had sold the plots, the ownership of which rested in the Gram Panchayat. Apprehending his arrest, respondent No. 2 moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, SBS Nagar and vide order dated 08.10.2024, he was admitted to interim bail and was directed to join the investigation and then vide order dated 13.11.2024, the order granting interim bail to him had been made absolute after his joining the investigation. Aggrieved from the same, the complainant has filed the present petition seeking cancellation of bail granted to respondent No. 2.

3. It is argued by learned counsel for the petitioner that the impugned orders are liable to be cancelled as the same have been procured by respondent No. 2 by concealing the fact that he had sold more than 45 plots of Panchayati land and that there were several other victims, who had come forward with similar complaints. Respondent No. 2 had influenced those victims not to pursue their complaints. He is misusing the concession of bail

and obstructing the further investigation. It is, thus, argued that the impugned orders are liable to be set aside, the petition deserves to be allowed and the benefit of bail granted to respondent No. 2 is liable to be withdrawn.

4. Respondent No. 1-State has filed a reply submitting that respondent No. 2 had joined the investigation in pursuance of the impugned orders and had cooperated in the same.

5. Learned counsel for respondent No. 2 has argued that he has never misused the concession of bail granted to him. The impugned orders are well reasoned and based on true facts of the case, which need no interference by this Court. Hence, it is urged that the petition is liable to be dismissed.

6. This Court has heard the rival submissions.

7. Before delving into the contentions as raised by learned counsel for the parties, this Court considers it necessary to discuss certain principles which govern the cancellation of bail as enunciated by Hon'ble Supreme Court in various pronouncements. Reference can firstly be made to ***Myakala Dharmarajam vs. the State of Telangana : (2020) 2 SCC 743***, wherein it was observed that an order for cancellation of bail can be made only where such order suffers from serious infirmities resulting in miscarriage of justice. If the Court granting bail ignores relevant material indicating *prima facie* involvement of the accused or takes into account irrelevant material, which has no relevance to the question of grant of bail to the accused, the High Court or the Sessions Court would be justified in cancelling the bail. Reliance can further be placed upon ***Sushila Aggarwal v. State (NCT of Delhi) : (2020) 5 SCC 1***, wherein it was observed that while considering an application for

grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation, or tampering with evidence (including intimidating witnesses) or likelihood of his absconding. It was also observed that whether to grant bail or not is a matter of discretion of the Court. Similar position of law had been laid down in ***Dolat Ram and others vs. State of Haryana :1995 SCC (1) 349.***

8. On applying the aforesaid principles to the facts of the present case and after going through the material placed on record, it is revealed that respondent No. 2 had approached the Court of learned Additional Sessions Judge and was initially granted interim protection subject to joining investigation. It is not disputed that he has joined the investigation and has cooperated with the investigating agency. The State, in its reply, has also not attributed any non-cooperation or misconduct on his part during the course of investigation. The primary contention raised by learned counsel for the petitioner is that respondent No. 2 had concealed material facts and that multiple transactions involving Panchayati land have been effected by him. However, such allegations pertain to the merits of the case and the extent of his involvement, which are matters to be investigated and adjudicated during trial. At this stage, there is no cogent material placed on record to demonstrate that any such alleged concealment had a direct bearing on the grant of anticipatory bail so as to render the impugned orders perverse or illegal. The allegation that respondent No. 2 has influenced other victims or is obstructing the investigation also remains unsubstantiated by any specific instance or supporting material. Bald and general allegations, in the absence of concrete

evidence, cannot form the basis for cancellation of bail already granted. It is also significant that the impugned orders reflect due application of mind by the Court concerned to the nature of allegations and the requirement of custodial interrogation. No circumstance has been brought to the notice of this Court to indicate that the said discretion has been exercised arbitrarily or in disregard of settled principles.

9. In view of the above, this Court is of the considered opinion that no case is made out for cancellation of anticipatory bail granted to respondent No. 2. The petition, being devoid of merit, is accordingly dismissed.

22.04.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>