
(2026) 05 P&H CK 1100

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous (M) No. 68597 Of 2025 (O&M)

Ranbir Singh

APPELLANT

Vs

State Of Haryana And Another

RESPONDENT

Date of Decision : 25-05-2026

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439(2)
Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483(3)
Indian Penal Code, 1860 — Section 34, 323, 406, 498A, 506

Citation : (2026) 05 P&H CK 1100

Hon'ble Judges : Kirti Singh, J

Bench : Single Bench

Advocate : Aman Pal, Mansi, Rajender Kumar, Brijesh Sharma, Sandeep Siwach

Final Decision : Dismissed

Judgement

Kirti Singh, J

The instant application has been filed for placing on record the copy of bank statement in order to show the payment of Rs.7,15,000/- to the petitioner as Annexure A-1.

For the reasons recorded in the application, the application is allowed. Annexure A-1 is taken on record.

CRM-M-68597-2025

1. The instant petition under Section 439(2) of Cr.P.C/483(3) of BNSS. has been filed seeking cancellation of anticipatory bail granted to respondent No.2 by this Court in CRM-M-61738-2024 vide order dated 03.04.2025 (Annexure P-5) in case FIR No.819 dated 23.10.2024 (Annexure P-1) under Sections 323, 406, 498-A, 506 and 34 of IPC, registered at Police Station Karnal Sadar, Karnal.

2. Learned counsel for the petitioner submits that this Court vide order dated 03.04.2025, passed in CRM-M-61738-2024 had extended the benefit of

anticipatory bail to respondent No.2 in view of the settlement agreement dated 11.03.2025 arrived at between the parties before the Mediation & Conciliation Centre of this Court. As per the settlement agreement, respondent No.2 had agreed to pay an amount of Rs.9,45,000/- to the petitioner. Out of the said amount, Rs.2,30,000/- was paid, while the rest of the amount had to be paid on or before 12.09.2025 in different installments. It is submitted that the remaining amount, which totals to Rs.7,15,000/- has still not been paid to the petitioner. Furthermore, as per the settlement agreement, respondent No.2 had sought time to settle the issues pertaining to jewellery articles given by the parties and regarding the repayment of amount of \$25000/- (USD). However, respondent No.2 has made no efforts to discuss the same with the petitioner, or to return the jewellery or repay the amount. Rather, respondent No.2 has been threatening the complainant, and pressurizing the witnesses to withdraw their statement. In fact he is even avoiding participation in the trial proceedings. He, therefore, submits that the bail granted to respondent No.2 deserves to be cancelled.

3. Per contra, learned counsel appearing on behalf of respondent No.2 submits that as per the settlement arrived at between the parties, Rs.2,30,000/- was paid to the petitioner on 05.12.2025. It is submitted that the remaining amount of Rs.7,15,000/- has also been remitted to the petitioner through RTGS on 22.09.2025. Reliance in this regard has been placed on Annexure A-1, which is the bank statement of respondent No.2. As such, there is no cause of action necessitating the cancellation of bail granted to respondent No.2.

4. The learned State counsel reiterates that this Court, after due consideration of the facts of the case and in view of the settlement arrived at between the parties, had granted anticipatory bail to respondent No.2.

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

6. As per the settled proposition of law, once bail has been granted, it would require cogent and overwhelming circumstances for its cancellation. In this regard, a gainful reference can be made to the observations of the Hon'ble Supreme Court in *Ms. X vs The State of Telangana* (2018) 16 SCC 511, wherein it was 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."

7. 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."

8. A perusal of the case file reveals that the genesis of the FIR registered against respondent No.2 lies in the matrimonial disputes between respondent No.2 and the daughter of the petitioner. The parties had been referred for mediation in the petition filed by respondent No.2 seeking the grant of anticipatory bail. A mutual settlement had been arrived therein between the parties, on the strength of which and while also considering the cumulative facts and circumstances of the case, this Court had granted the concession of anticipatory bail to respondent No.2. With regard to the non-payment of the pending settlement amount of Rs.7,15,000/-, bank statement of respondent No.2 have been placed on record, which prima facie depict remittance of the said amount in favour of the petitioner. Insofar as, the contention that respondent No.2 is yet to initiate settlement talks pertaining to jewellery articles, the same remains an uncorroborated averment. Accordingly, this Court is of the considered opinion that no reason necessitating the cancellation of bail granted to respondent No.2 has been pointed. Nowhere it has been indicated that the sanctity of the trial will be adversely affected, if the 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 by respondent No.2. Trite to say that the power to cancel bail, which is on a different footing from the grant of bail, must be exercised sparingly, and only upon existence of cogent & overwhelming circumstances demonstrating misuse of liberty, interference with the administration of justice or a conduct prejudicial to the conduct of a fair trial, which is not so in the present case.

9. In view of the above discussion, this Court is of the considered view that the cancellation of anticipatory bail granted to respondent No.2 would not meet the objective standard of reason and justice.

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

11. Needless to say that nothing observed hereinabove shall be construed as an expression on the merits of the case.

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