



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

1. CRM-M-56715-2024 (O&M)

Santokh Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

2. CRM-M-56734-2024 (O&M)

Santokh Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

Date of decision: 10th July, 2025

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Kuljit S. Bal, Advocate for the petitioner/complainant.

Mr. Shiva Khurmi, Asst. Advocate General, Punjab
for the respondent/State.

Ms. G.K. Mann, Senior Advocate with
Mr. Anmol Jeevan S. Gill, Advocate
for the private respondent.

MANJARI NEHRU KAUL, J.

1. The instant petitions have been preferred by the petitioner/complainant seeking cancellation of bail granted to the accused, namely Tejinderpal Singh and Balwinder Singh, whose interim bail was made absolute by this Court vide orders dated 16.04.2024 and 04.10.2023, respectively, in case FIR No.46 dated 11.06.2023 under Sections 323, 324, 506, 148, 149 of the IPC (Sections 326, 307 IPC

added later on) registered at Police Station Ramdas, District Amritsar Rural.

2. Learned senior counsel appearing for the petitioner/complainant has reiterated the submissions made on the previous date of hearing. It has been contended that subsequent to the grant of bail, the petitioner has been facing continuous threats to his life and liberty allegedly emanating from the respondent/accused. It has been submitted that on the directions of DSP, two security personnel have been now deployed for the protection of the petitioner.

3. In support of his contentions, learned senior counsel has referred to certain telephonic recordings annexed as Annexure P-6, which purportedly contain threats and demands for ransom. It has been still further submitted that the petitioner has also received threatening messages from unidentified sources, thereby placing him under persistent mental trauma and fear. Learned senior counsel has therefore argued that such circumstances amount to a gross misuse of the concession of bail and warrant its immediate cancellation.

4. Per contra, learned senior counsel appearing for the accused respondents has vehemently opposed the prayer and submissions made by the counsel opposite. It has been contended that the petitioner lacks the necessary *locus-standi* to seek cancellation of bail. It has been submitted that the FIR (Annexure P-1), which forms the basis of the order granting bail to the accused, has been registered at the instance of Chamkaur Singh and not the present petitioner. Further, it has been asserted that petitioner Santokh Singh neither figures as an injured party nor is cited as a witness by the prosecution in the challan.

5. It has also been urged that the impugned orders granting the concession of bail were passed after due consideration by the Court and no supervening or exceptional circumstance has since emerged that would justify interference with the liberty already granted. Learned senior counsel has also pointed out that the telephonic threats referred to by the petitioner are from anonymous sources, and no material has been placed on record to suggest any direct or indirect involvement of the respondents in those alleged acts.

6. Learned State counsel, on instructions, has confirmed that the petitioner has been provided two security personnel following a DDR registered on the basis of a complaint regarding anonymous threats. However, upon specific query by this Court, the learned State counsel, on instructions, has categorically stated that no subsequent material or evidence has surfaced to indicate that the said threats were issued at the behest of or with the involvement of the respondent/accused. As per instructions received by the learned State counsel, there is also no report of any overt act or misconduct on the part of the respondents since the grant of bail to them.

7. After hearing learned counsel for the parties and perusing the relevant material on record, this Court is of the considered view that no ground is made out for cancellation of bail to the respondent/accused for the reasons to follow.

8. It is trite law that once bail has been granted by a competent Court, it can only be cancelled under well-settled and limited grounds, as has also been enunciated by the Hon'ble Supreme Court in several pronouncements.

9. Cancellation of bail is not to be resorted to as a matter of routine and must be predicated upon compelling circumstances such as:

- interference with or obstruction in the course of investigation or trial;
- threatening, influencing, or intimidating witnesses;
- tampering with evidence;
- commission of a cognizable offence while on bail; or
- willful violation of any condition imposed by the Court.

10. It is equally settled that bail, once granted, should not be cancelled in a mechanical or arbitrary manner, and that the grounds for cancellation must be clearly established through cogent and credible material.

11. In the present case, it is admitted that the petitioner is neither the complainant in the FIR nor does his name feature in the list of witnesses or injured parties. Although the apprehensions expressed by the petitioner regarding anonymous threats are not to be dismissed lightly, the fact remains that no credible link has been brought to the fore between the respondents and the alleged threats. The telephonic recordings do not disclose the identity of the callers, and no further inquiry or investigation has pointed toward the involvement of the respondents.

12. Further, there is no allegation or material on record indicating that the respondents have either violated any condition of bail or have indulged in any act that would constitute misuse of the liberty granted to them. There is also no indication of tampering with evidence, influencing of witnesses or committing any further offence.

13. In the absence of any supervening circumstance of a grave or exceptional nature, this Court finds no justification to recall or interfere with the orders by which the respondents were granted the concession of bail.

14. In view of the foregoing discussion, and applying the settled principles of law governing cancellation of bail, this Court finds no merit in the present petitions. Both these petitions are accordingly dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 10, 2025

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No