

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

209

2023:PHHC:158316

CRM-M-6976-2023

Date of decision: December 11th, 2023

Sham Aghi

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rajesh Bansal, Advocate
for the petitioner.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

Mr. Keshav Partap Singh, Advocate
for respondents No.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking cancellation of anticipatory bail granted to respondents No.2 to 4 in FIR No.3 dated 21.07.2022 under Sections 419, 420, 465, 468, 471 of the IPC and Sections 66-C, 66-D of Information Technology Act, 2000 registered at Police Station Cyber Crime Panipat, vide impugned orders dated 31.10.2022, 22.11.2022 and 06.12.2022 (Annexures P-2 to P-4 respectively).

2. Learned counsel for the petitioner, *inter alia*, contends that the impugned orders vide which the respondents-accused were granted the concession of anticipatory bail were perverse as the Court below had failed to take into account the nature of allegations levelled against them as also the fact that the custodial interrogation of the accused would have helped the investigating agency in uncovering the entire scam.

3. On a pointed query put to the learned counsel for the petitioner as to whether there had been any misuse of the concession of

anticipatory bail granted to the respondents vide the impugned orders or if the accused had been involved in any other crime, he has fairly conceded to the contrary, however, he has reiterated that since the respondents-accused had not cooperated with the investigating agency when they were granted the concession of interim bail, the impugned orders deserve to be set aside.

4. Learned State counsel assisted by learned counsel for the respondents has vehemently opposed the prayer and submissions made by the counsel opposite.

5. On a pointed query put to the learned State counsel as to whether the custodial interrogation of the respondents-accused was required, she on instructions, has submitted in the negative and further informed the Court that in fact, a cancellation report had been filed in the instant case on 11.07.2023.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. In the facts and circumstances as enumerated hereinabove, this Court is not inclined to accept the prayer for cancellation of anticipatory bail granted to the respondents-accused vide orders dated 31.10.2022, 22.11.2022 and 06.12.2022 (Annexures P-2 to P-4 respectively).

8. The instant petition stands dismissed.

9. 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.

December 11th, 2023

Puneet

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No