

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

CRM-M No.37385 of 2023
Date of decision: 9th August, 2023

Anuj Aggarwal

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.S. Grewal, Advocate for the petitioner.

Mr. Subhash Godara, Addl. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.20 dated 14.02.2023 under Sections 384, 506 and 120-B IPC (Sections 387 and 506 of the IPC and Section 66(d) of the IT Act added later on) registered at Police Station Division No.4, District Police Commissionerate Jalandhar.

2. As per the submissions made by the learned counsel for the petitioner, the petitioner, who is running a news channel by the name of 'Tehlka India News', had been exposing the misdeeds of corrupt Govt. officials for the past many years and it was in that background, a totally false and fabricated case had been planted upon him on the allegations that he had been blackmailing Govt. officials by preparing their false videos.

3. On being put to notice, the State has filed a status report by way of affidavit of Paramjit Singh PPS, ACP Detective, Jalandhar which is taken on record subject to all just exceptions.

4. Learned State counsel, while drawing the attention of this Court to the affidavit, which has been filed today, has vehemently opposed the prayer and submissions made by the counsel opposite for extending the concession of anticipatory bail to the petitioner, by urging that his custodial interrogation is required, more so, since he is a habitual offender which is evident from the fact that besides the case in hand, there are eight other criminal cases registered against the petitioner for various offences under the Indian Penal Code. In support, learned State counsel has drawn the attention of this Court to paragraph No.8 of its reply, wherein it stands reflected that the following eight cases stand registered in Uttrakhand, Odhisha and in the State of Uttar Pradesh:

- (i) FIR No.178 dated 01.05.2019 under Section 384 IPC registered at Police Station Patel Nagar, Dehradun.
- (ii) FIR No.286 dated 18.06.2019 under Section 451, 364-A, 353, 386, 394, 506, 120-B IPC and Section 25 of the Arms Act registered at Police Station Baragarh, District Baragarh, Odhisha.
- (iii) FIR No.356 dated 02.05.2019 under Sections 383, 386, 385, 387, 389, 499, 506, 347, 120-B IPC registered at Police Station Drasth Nagar, Ghaziabad.
- (iv) FIR No.377 dated 21.12.2015 under Sections 420, 504, 506 IPC registered at Police Station Patel Nagar, Dehradun, Uttrakhand.

- (v) FIR No.92 dated 20.04.2016 under Sections 420, 504, 506 IPC registered at Police Station Patel Nagar, Dehradun, Uttarakhand.
- (vi) FIR No.141 dated 06.05.2016 under the Uttar Pradesh Gangster and Anti Social Activities Act registered at Police Station Patel Nagar, Dehradun, Uttarakhand.
- (vii) FIR No.178 dated 01.05.2019 under Section 384 IPC registered at Police Station Patel Nagar, Dehradun, Uttarakhand.
- (viii) FIR No.391 dated 21.09.2019 under Sections 420, 504, 506, 120-B IPC registered at Police Station Patel Nagar, Dehradun, Uttarakhand.

5. Still further, it has been submitted by the learned State counsel that before the lodging of the FIR in question, a video clip was made viral by the petitioner and co-accused Ajay Kumar and Amandeep Singh, which during investigation found to be morphed. It has been further submitted that co-accused Ajay Kumar is still at large, while the co-accused Amandeep Singh was arrested on 10.06.2023 and on being arrested he made a disclosure statement, wherein he disclosed that he along with both the co-accused had been making videos with the help of a button camera as well as a laptop, which were in the custody of the petitioner. A prayer has, therefore, been made for dismissal of the instant petition.

6. Learned counsel for the petitioner has however, vehemently rebutted the submissions made by the learned State counsel. He has argued that the petitioner has been implicated in the case in hand only because there are some other cases registered against him. He submits

that in the instant case, there was no material from which his involvement in the crime in question would stand reflected.

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

8. Prima facie, the petitioner comes across as a habitual offender. It is evident from the affidavit, which has been filed by the State in the Court today, that he is involved in a number of criminal cases, in different States of the Country. This Court, therefore, concurs with the submissions made by the State that in view of the specific allegations levelled against the petitioner, who as per the learned State counsel is the prime accused, his custodial interrogation would be required.

9. In the facts and circumstances as enumerated hereinabove, the petitioner does not deserve the extraordinary concession of anticipatory bail. The petition as such stands dismissed.

10. 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

August 9, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No