



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

CRM-M-55586-2024

Date of Decision : 08.11.2024

HASAN ALI

.....Petitioner

VERSUS

U.T. OF CHANDIGARH

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ankur Malik, Advocate,
for the petitioner.

Mr. Manish Bansal, PP, UT, Chandigarh with
Mr. Shaurya Nagpal, Advocate,
for the respondent.

KULDEEP TIWARI, J.(Oral)

1. Through the instant second petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), prayer is made for grant of 'anticipatory bail' to the petitioner, in case FIR no.32, dated 10.04.2023 (Annexure P-1), under Sections 419, 420 and 120-B of the IPC, registered at Police Station Cyber Crime, Chandigarh.
2. The earlier petition was dismissed as withdrawn by drawing an order dated 19.09.2024, in CRM-M-27007-2024.
3. Mr. Manish Bansal, learned Public Prosecutor, UT, who is on an advance notice, has caused appearance on behalf of the respondent-UT, Chandigarh, and submits that after dismissal of the aforesaid 'anticipatory bail' petition by this Court, the petitioner fled to Thailand,

and instead of making himself available before the investigating officer concerned for the purpose of investigation, on 18.10.2024, and when he was coming back to India from Thailand, at the airport, in pursuance to the look out notice, as issued against him, he was detained by the airport authority, and subsequently, produced before the learned *Illaqa* Magistrate concerned.

4. He has placed on record a photocopy of an order dated 28.10.2024, drawn by the learned Additional Chief Judicial Magistrate, Barrackpore, North 24, Parganas, West Bengal, to submit that the petitioner by making false averments before the magistrate concerned (*supra*), to the extent that he has been granted bail by this Court in CRM-M-27007-2024, dated 10.07.2024, and got himself released from the custody. Photocopy of order dated 28.10.2024, is ordered to be taken on record as Annexure R-1.

5. When this Court confronted, the learned counsel for the petitioner, with regard to the above facts, he was unable to answer any of the above, as to why false submissions before the learned Additional Chief Judicial Magistrate concerned were made. It seems that the petitioner is not only playing hide and seek with the prosecution agency, but also playing well with the legal proceedings by making false averments one after the another. The petitioner is stated to be involved in cyber crime, and his culpability in other offences is yet to be ascertained, and in order to thwart the investigation, he is adopting all the above delay tactics, therefore, the petitioner is dis-entitled for any relief of anticipatory bail.

6. Considering the above conduct of the petitioner, the instant petition is **dismissed**, with a cost of Rs.50,000/- to be deposited with the District Legal Services Authority concerned.

7. All pending application(s), if any, also stand **disposed** of accordingly.

November 08, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No