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

**CRM-M No.6761 of 2026
Date of decision: 06.05.2026**

Sanchit Sood

.....Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Shivam Grover, Advocate;
Mr. Ivan Singh Khosa, Advocate and
Mr. Aarjav Jain, Advocate
for the petitioner.

Mr. Kuljinder Dhindsa, AAG, Punjab.

Mr. Viraj Gandhi, Advocate and
Mr. Harit Narang, Advocate
for respondent No.2.

RAJESH BHARDWAJ, J.

1. Present petition has been filed praying for cancellation of anticipatory bail granted to respondent No.2 vide order dated 06.11.2025 passed by the learned Additional Sessions Judge, Ludhiana in case bearing FIR No.0051, dated 20.03.2025, under Sections 406, 420 of IPC, registered at Police Station Police Commissionerate, Ludhiana.

2. Learned counsel for the petitioner has submitted that the petitioner before this Court is the complainant at whose behest the abovesaid FIR was registered against respondent No.2. He has submitted that respondent No.2 was specifically named in the FIR and there are allegations against him that respondent No.2 and co-accused, namely,

Sanjay Parikh had purchased the goods in the name of Colors Clothing between May and July, 2022 from the company of the petitioner and a sum of Rs.14,52,798/- became due towards the accused and when the petitioner demanded the same, they gave some cheques, which were returned by the bank, thereafter, respondent No.2 had stopped and payment and further threatened the petitioner and refused to pay the amount. However, the learned Additional Sessions Judge, Ludhiana vide order dated 06.11.2025 had granted the concession of interim bail to respondent No.2 and was directed to join the investigation, which was absolute further vide order dated 18.11.2025 and thus, respondent No.2 was granted the concession of anticipatory bail, which is totally against the evidence on record. He has submitted that the learned trial Court has erroneously held in the impugned order that on account of the cheques being dishonoured, the present dispute is civil in nature. He has submitted that custodial interrogation of respondent No.2 is required in the present case keeping in view the gravity of the offences alleged. He has relied upon the decisions passed by Hon'ble the Supreme Court in '*Sangeetaben Mahendrabhai Patel vs State of Gujarat and another*', (2012) 7 SCC 621; '*Rajesh Bajaj vs. State NCT of Delhi*' 1999(3) SCC 259; '*State vs. Anil Sharma*' (1997) 7 SCC 187 and '*P. Chidambaram vs. Directorate of Enforcement*', (2019) 9 SCC 24. He has submitted that keeping in view the nature of allegations and the gravity of the offence committed, the impugned order granting anticipatory bail to respondent No.2 deserves to be *set aside*.

3. Status report dated 05.05.2026 by way of an affidavit of Inderjit Singh, PPS, Assistant Commissioner of Police, Industrial Area-A, Ludhiana on behalf of respondent No.1 has been filed by learned State



counsel today in the Court and the same is taken on record. Copy thereof has been supplied to the counsel opposite.

4. Learned counsel for the State has submitted that complicity of respondent No.2 has been prima facie established in the present case. He has submitted that respondent No.2 had purchased goods from the petitioner company and thereafter withheld payment and got issued the cheques, which were dishonored. He has submitted that on inquiry, cognizable offence under Sections 406 and 420 of IPC is made out and thus, the present FIR was registered. He has further submitted that respondent No.2 was directed to join the investigation by the learned trial Court vide order dated 06.11.2025 and he was joined but not cooperated with the investigation, however, his interim bail order was made absolute by the learned trial Court vide order dated 18.11.2025. He has further submitted that the investigation in the present case is at the initial stage and respondent No.2 is required for the investigation, however he has been granted the concession of anticipatory bail by the learned Additional Sessions Judge, Ludhiana vide order dated 18.11.2025. He thus, prays for cancellation of anticipatory bail granted to respondent No.2 by the learned Additional Sessions Judge, Sonipat. He, however, has submitted that there is no evidence on the record to show that respondent No.2 has misused the concession of anticipatory bail granted to him by the learned trial Court vide order dated 18.11.2025.

5. Learned counsel for respondent No.2 has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that respondent No.2 has granted the concession of anticipatory bail by the learned trial Court vide order dated 18.11.2025 and he has not



misused the same, thus, no case for the cancellation of anticipatory bail granted to respondent No.2 by the learned trial Court vide order dated 18.11.2025 is made out and thus, the present petition deserves to be dismissed.

6. This Court has heard counsel for the parties and perused the record.

7. On hearing learned counsel for the parties and perused the record, it is deciphered that respondent No.2 was granted the concession of interim bail by the learned Additional Sessions Judge, Ludhiana vide order dated 06.11.2025 and in furtherance of the same, he duly joined the investigation and the order granting him interim bail was made absolute vide order dated 18.11.2025. Perusal of the record would show that respondent No.2 had purchased some goods from the petitioner company and he defaulted in making payment of an outstanding amount of Rs.14,52,798/-. The cheques issued by respondent No.2 were dishonored by the bank. The trial Court has observed that non payment of price of the goods is not a criminal offence as previous payments have already been made by respondent No.2 and thus, finds that the dispute in the present case is civil in nature.

8. There is nothing on the record to show that respondent No.2 has misused the concession of anticipatory bail granted to him by the learned trial Court vide order dated 18.11.2025.

9. The judgments relied upon by learned counsel for the petitioner is distinguishable from the facts and circumstances of the present case.

9. For the cancellation of the bail, the law settled is different



from that of the law, which is considered for granting the bail. There was no evidence against the petitioner when his bail application was opposed before the learned Additional Sessions Judge, Sonipat, which is evident from the reply filed by the State.

10. In adverting to the distinction, a Bench of two learned Judges of the Hon'ble Supreme Court in **Dolat Ram v. State of Haryana 1995(1) CLJ (Criminal) 26** observed that:

"3. Rejection of 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 bail, broadly (illustrative and not exhaustive) 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 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."

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11. These principles have been reiterated in the judgment titled as **Dataram Singh v State of Uttar Pradesh 2018 (2) SCALE 285, X v. State of Telangana and Another [(2018) 16 SCC 511]** and recently by Division Bench of the Hon'ble Supreme Court in **Himanshu Sharma v. State of**

Madhya Pradesh 2024(2) RCR(Criminal) 68 which has held as under:

"12. Law is well settled by a catena of judgments rendered by this Court that the considerations for grant of bail and cancellation thereof are entirely different. Bail granted to an accused can only be cancelled if the Court is satisfied that after being released on bail, (a) the accused has misused the liberty granted to him; (b) flouted the conditions of bail order; (c) that the bail was granted in ignorance of statutory provisions restricting the powers of the Court to grant bail; (d) or that the bail was procured by misrepresentation or fraud. In the present case, none of these situations existed."

12. There is nothing on record to show that respondent No.2 has ever misused the concession of anticipatory bail or has violated the conditions imposed upon him while granting him anticipatory bail by the learned Additional Sessions Judge, Ludhiana vide order dated 18.11.2025. The parameters regarding granting bail and that of cancellation of bail rest entirely on different footings.

13. This Court does not find any such ground for recalling the anticipatory bail granted to respondent No.2 by the learned Additional Sessions Judge, Ludhiana and thus, finding no merit in the present petition, the same is hereby dismissed.

06.05.2026

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

(RAJESH BHARDWAJ)
JUDGE