



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

Sr. No.105

**CRM-M-21709-2026
Date of Decision: 04.05.2026**

AMIT KUMAR

...Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. L.S. Lakhanpal, Advocate
for the petitioner.

MANDEEP PANNU, J. (Oral)

1. The present is the second petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 438 Cr.P.C.) for grant of anticipatory bail to the petitioner in FIR No. 0029 dated 20.07.2025, registered under Section 67 of the Information Technology Act, 2000, at Police Station Cyber Crime, District Police Commissionerate, Amritsar.

2. It is pertinent to note that the present petition is the second anticipatory bail application filed by the petitioner. The first anticipatory bail application was dismissed by this Court vide order dated 07.03.2026, while taking into consideration the gravity and nature of the allegations levelled against the petitioner, the material collected during the course of investigation, as well as the requirement of custodial interrogation, particularly for recovery of the mobile phone allegedly used in the



commission of the offence. This Court had categorically held that it was not a fit case for grant of anticipatory bail.

3. Learned counsel for the petitioner has sought to contend that the petitioner is now willing to hand over the mobile phone and, therefore, the present petition deserves consideration.

4. Notice of motion.

5. On asking of the Court, Mr. Sahil Chowdhary, AAG, Punjab accepts notice on behalf of respondent-State and has opposed the present bail application on the ground of maintainability.

6. I have heard learned counsel for the parties and have carefully gone through the record of the case. A perusal of the earlier order dated 07.03.2026 makes it evident that the rejection of anticipatory bail was not solely on account of non-recovery of the mobile phone, but also on account of the seriousness and gravity of the allegations and the material collected during investigation. No substantial change in circumstances has been pointed out so as to warrant a different view. It is a settled principle that a second anticipatory bail application is not maintainable. The grounds now urged were either available at the time of filing of the first petition or do not constitute a substantial change so as to revisit the earlier order. Entertaining such successive petitions on the same set of facts would amount to re-agitating the matter, which is impermissible in law.

7. In view of the above, the present second anticipatory bail application is not maintainable and is accordingly dismissed.



8. However, nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.
9. All pending applications, if any, also stand disposed of.

04.05.2026

Anu

(MANDEEP PANNU)
JUDGE

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