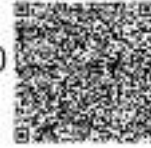


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

101

2026:PHHC:019490



CRM-M-34989-2022 (O&M).
Date of decision: 09.02.2026.

PROMILA SINGH PRABHU

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Shashank Shekhar Sharma, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana, assisted by
ASI Anil Kumar, NO.573/JJR.

Mr. R.S. Cheema, Sr. Advocate, with
Mr. V.K. Sachdeva, Advocate,
Mr. Pulkit Sachdeva, Advocate, and
Mr. Ishan Khetarpal, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

CRM-14568-2024

Application is allowed as prayed for subject to all just exceptions.

Annexure P-20 is taken on record.

The Registry is directed to tag the same at an appropriate place.

Main case

This is the first petition filed by the petitioner under Section 439(2) read with Section 482 of the Code of Criminal Procedure, 1973, for seeking cancellation of pre-arrest bail granted to respondent No.2 vide order dated 27.07.2022 passed by the Additional Sessions Judge, Jhajjar, in case bearing FIR No.112 dated 16.04.2021, under Section(s) 406, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station Sector 6, Bahadurgarh, District Jhajjar.

2 Learned counsel appearing on behalf of the petitioner contends that a perverse order granting pre-arrest bail has been passed by the Additional Sessions Judge, Jhajjar, without taking into consideration that a second anticipatory bail application is maintainable only on very limited grounds with “change of circumstances”. The said circumstances have neither been adverted to nor were available at the time when the second application for grant of pre-arrest bail was not only entertained but was also granted by the Additional Sessions Judge, Jhajjar, vide the impugned order dated 27.07.2022.

3 He further contends that there were glaring instances indicative of siphoning of huge funds to the tune of Rs.200/- crores by creating a maze of financial transactions so as to cause financial loss not only to the Society but also to the financial Institutions. He contends that the gravity of the conduct has not been examined by the Court granting anticipatory bail to respondent No.2. He contends that it is well established from the documentary evidence on record that the Society had collected approximately an amount of Rs.390/- Crores from the students of various institutions against the

projections of gross receipts of Rs.410.48 crores with cash profit of Rs.176.85 crores during the period 2011-12 to 2015-16 as submitted before the Expert Finance Committee constituted by the Director of Higher Education. There were large scale irregularities with respect to the change of land use purportedly obtained by the Society for establishing the said Institutions.

4 Learned Senior counsel appearing on behalf of respondent No.2, on the other hand, contends that during the pendency of the present proceedings before this Court various developments have taken place at the trial level. He contends that the present petition was filed on 05.08.2022. Thereafter the investigation was completed and charge sheet has been filed on 23.03.2023 against the private respondent only and no other person was sent for trial. It is contended that after filing of the final report, the respondent appeared before the trial Court and applied for regular bail. Being a Magisterial trial, the application was accepted and he was directed to be released on regular bail. He contends that since respondent No.2 had been released on regular bail, hence, the challenge to the order whereby pre-arrest bail was granted to respondent No.2 would be an exercise in futility and only academic without having any bearing on the rights of the respective parties.

5 Counsel for the petitioner does not dispute that the exercise predominantly would be academic for the purposes of this case.

6 While keeping the issues raised by the petitioner on merits with respect to the perversity in the order granting anticipatory bail and as to whether second anticipatory bail could have been entertained by the Additional Sessions Judge, Jhajjar, on the grounds mentioned in the order alive, I am of the opinion that the exercise has been rendered academic on

account of the respondent No.2 having subsequently been released on regular bail vide order dated 15.04.2023. The present petition is accordingly disposed of as having been rendered infructuous at this stage.

7 At this stage, it has been pointed out by the counsel for the petitioner that notwithstanding the charge sheet having been filed in March 2023, charge has not been framed in the matter.

8 Learned Senior counsel for respondent No.2 does not dispute that there is no valid reason as to why the charge ought not to have been framed. The trial Court is thus directed to take appropriate steps for expeditious framing of the charge and commencement of the prosecution evidence in case there is no order of stay passed by any competent Court.

9 Pending misc. application(s), if any, shall also stand(s) disposed of accordingly.

February 09, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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