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

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Date of decision : 01.05.2026

DAYANAND BHARGAVA

... PETITIONER

Versus

STATE OF HARYANA AND OTHERS

.. RESPONDENTS

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Lajpat Rai Sharma, Advocate for the petitioner.

Dr. Malvika Singh, DAG, Haryana.

Mr. Pardeep K. Bajaj, Advocate,
Ms. Avneet, Advocate and
Mr. Ankit Sharma, Advocate for respondents No.4 & 5.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483(3) BNSS read with Section 528 BNSS, 2023 seeking cancellation of anticipatory bail granted to respondents No.4 and 5 by this Court vide order dated 21.08.2025 (Annexure P-4) passed in CRM-M-32106-2025 relating to FIR No.27, dated 24.02.2025 under Sections 420, 467, 468, 471, 120-B of IPC registered at Police Station City Safidon, District Jind (Annexure P-1).

2. Learned counsel for the petitioner submits that respondents No.4 and 5 have been wrongly granted the concession of anticipatory bail as the office of the learned Advocate General, Haryana was misinformed that custodial interrogation of the said respondents was not required. It is submitted that respondents No.4 and 5 procured a wholesale drug licence on the basis of



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forged and fabricated documents, therefore, their custodial interrogation is essential for recovery of forged documents as well as for ascertaining the identity of the impersonated lady. It is further submitted that the respondents are misusing the concession of anticipatory bail by pressurizing the petitioner to make statements in their favour which is unjust and against the law. It is also submitted that It is further submitted that the investigating agency is not conducting the investigation in a fair and unbiased manner.

3. Learned State counsel, while referring to the status report filed by way of an affidavit of Deputy Superintendent of Police, Safidon, District Jind, submits that the petitioner/complainant instead of cooperating with the investigating agency, is leveling false allegations. It is submitted that fair and impartial investigation is being conducted by the Special Investigation team headed by the Deputy Superintendent of Police, Safidon. He, therefore, prays for dismissal of the petition being devoid of any merit.

4. *Per contra*, learned counsel for respondents No.4 and 5 submits that there is considerable delay of six years in lodging the FIR and no *prima facie* offence is made out against the private respondents. It is further submitted that respondents No.4 & 5 have already joined investigation and complied with all the conditions imposed while granting anticipatory bail. He further submits that there is no material on record to show that the respondents have either influenced any witness, tampered with evidence or obstructed the investigation in any manner. It is also submitted that in case, the petitioner is aggrieved by the manner in which the investigation is being conducted, he may avail appropriate remedies as per the law. He, therefore, prays that the present petition is liable to be dismissed.



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5. I have heard learned counsel for the parties and have perused the material available on record.
6. It is apparent that respondents No.4 and 5 were granted anticipatory bail by the Coordinate Bench of this Court in the aforesaid FIR vide order dated 21.08.2025 (Annexure P-4).
7. It is a settled principle of law that once bail has been granted, it cannot be cancelled in a mechanical manner unless there are strong and compelling reasons such as misuse of the bail concession, interference with the investigation, tampering with evidence, influencing witnesses, or likelihood of the accused absconding. In this regard, reference may be made to the judgment of the Hon'ble Supreme Court in the case of **Abdul Basit @ Raju & Ors. Etc. vs. Md. Abdul Kadir Choudhary, 2015 (1) SCC (Criminal) 257** wherein it has been held as under:-

“18. Under Chapter XXXIII, Section 439(1) empowers the High Court as well as the Court of Session to direct any accused person to be released on bail. Section 439(2) empowers the High Court to direct any person who has been released on bail under Chapter XXXIII of the Code be arrested and committed to custody, i.e., the power to cancel the bail granted to an accused person. Generally the grounds for cancellation of bail, broadly, are, (i) the accused misuses his liberty by indulging in similar criminal activity, (ii) interferes with the course of investigation, (iii) attempts to tamper with evidence or witnesses, (iv) threatens witnesses or indulges in similar activities which would hamper smooth investigation, (v) there is likelihood of his fleeing to another country, (vi) attempts to make himself scarce by going underground or becoming unavailable to the investigating agency, (vii) attempts to place himself beyond the reach of his surety, etc. These grounds are illustrative and not exhaustive. Where bail has been granted under the proviso to Section 167(2) for the default of the prosecution in not completing the investigation in sixty days after the defect is cured by the filing of a chargesheet, the prosecution may seek to have the bail cancelled on the ground that there are reasonable



grounds to believe that the accused has committed a non-bailable offence and that it is necessary to arrest him and commit him to custody. However, in the last mentioned case, one would expect very strong grounds indeed.”

8. Moreover, Hon’ble the Supreme Court in the case of **Himanshu Sharma versus Union of India, 2024 LiveLaw (SC)157** has observed as under:-

“Having heard and considered the submissions advanced by learned counsel for the parties and after going through the impugned orders dated 12th December, 2023 and so also the orders granting bail dated 8th September, 2022 and 14th September, 2022, we are of the firm opinion that the exercise of jurisdiction by the learned Single Judge of High Court of Madhya Pradesh in cancelling the bail granted to the appellants by another Single Judge of the same High Court and that too, by examining the merits of the allegations was totally uncalled for and tantamounts to judicial impropriety/indiscipline.

11. While cancelling the bail granted to the appellants, the learned Single Judge referred to this Court’s judgment in the case of [Abdul Basit](#) (supra). However, we are compelled to note that the ratio of the above judgment favours the case of the appellants. That apart, the judgment deals with the powers of the High Court to review its own order within the limited scope of [Section 362 Cr.P.C.](#).....”

(emphasis supplied)

9. In the present case, the petitioner/complainant has failed to place on record any cogent material to show that respondents No.4 & 5 have violated any condition of bail or misused the liberty granted to them. Furthermore, no specific instance has been substantiated on record to show that respondents No.4 and 5 have attempted to influence witnesses, tamper with evidence or evade the process of law.

10. Admittedly, the investigation is being conducted by a Special Investigating Team and the pleas raised by the petitioner/complainant primarily pertain to the merits of the case and the nature of the evidence, which cannot be

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re-considered in a petition for cancellation of bail. Mere apprehensions, without any cogent material, are insufficient to invoke the jurisdiction of this Court for cancellation of bail.

11. In view of the above, this Court does not find any justifiable ground to interfere with the order granting anticipatory bail to respondents No.4 & 5.

12. Consequently, the present petition is dismissed.

May 01, 2026
Sonia

(H.S.GREWAL)
JUDGE

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