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

**CRM-M-1337-2024 (O&M)  
DECIDED ON: 11.03.2025**

**KAPIL AGGARWAL**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB AND ANOTHER**

**.....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Gursimran Singh, Advocate and  
Mr. Marinal Sharma, Advocate for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab

Mr. Avinit Avasthi, Advocate for respondent No.2.

**SANDEEP MOUDGIL, J (ORAL)**

**CRM-1091-2024**

Application is allowed, as prayed for.

Exemption from filing certified copies of Annexures P-1 to P-6 is granted.

**CRM-M-1337-2024**

This is a petition u/s 439(2) Cr.P.C. read with 482 Cr.P.C. for cancellation of anticipatory bail granted to the accused Respondent no. 2 vide order dated 21.09.2023 passed by this Hon'ble High Court (Annexure P-5) in FIR no. 12 dated 11.01.2020 registered u/s 420, 120-B IPC at PS Division No. 3, Police Commissionerate, District Ludhiana, Punjab (Annexure P-1), as the accused has procured the said order by misleading this Hon'ble High Court to

the grave extent and Further, now the respondent no. 2 is mis-using the concession of bail and threatening petitioner/complainant to compromise the matter as per, their terms otherwise will get him & his family implicated in false non-bailable offence.

Written statement filed on behalf of respondent No.2, is taken on record. Registry is directed to tag it at the appropriate place and numbered the same.

Learned counsel appearing for the petitioner seeks time in this matter on the ground that the arguing counsel is not well.

In the instant petition, notice of motion was issued on 05.03.2024, wherein prayer made is cancellation of anticipatory bail granted to respondent No.2 vide order dated 21.09.2023 (Annexure P-5).

This Court has no hesitation in observing that the present petition appears to be nothing more than an academic exercise, with the matter being adjourned on multiple occasions solely at the request of the petitioner. Notably, the pleadings are complete, and the State has also filed its reply.

As per the last order dated 04.03.2025, last opportunity was granted to assist the Court once the request for an adjournment was made on behalf of the petitioner.

Learned counsel for the petitioner herein seeks cancellation of anticipatory bail on account of the contentions of the respondent No.2 are stated to be wrong according to the present petitioner/complainant in the FIR. In fact the Court has perused the order attached to the present petition at Annexure P-5, wherein no such observation has been recorded but merely after the accused/respondent No.2 joins the investigation in terms of the interim order dated 30.01.2020 granted by a Co-ordinate Bench, the same was

made absolute with the reasoning that the accused/respondent No.2 has joined the investigation and final report under Section 173(2) Cr.P.C., stands submitted to the Competent Court and custodial interrogation was not required.

However, there is a clear direction that the petitioner shall be joining the investigation as and when required by the Investigating Officer and will abide by the conditions as envisaged under Section 438(2) Cr.P.C., (now Section 528 BNSS, 2023).

In the light of above, the counsel for the petitioner has failed to establish any violation to the said conditions as incorporated in the order dated 21.09.2023. Hence the present petition being devoid of merits stands dismissed with no order as to costs.

**11.03.2025**

*Meenu*

**(SANDEEP MOUDGIL)  
JUDGE**

*Whether speaking/reasoned*      *Yes/No*  
*Whether reportable*              *Yes/No*