



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

207

CRM-M-43148-2024

Date of decision: April 7<sup>th</sup>, 2025

Shubham Taneja

.....Petitioner

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**Present: Ms. Riffi Birla, Advocate  
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

Mr. K.B.S. Mann, Advocate  
for respondent No.2.**MANJARI NEHRU KAUL, J.**

The present petition has been filed by the petitioner/  
complainant seeking cancellation of anticipatory bail granted to  
respondent No.2/accused by the learned trial Court in FIR No.18 dated  
06.08.2024 under Section 7 of the P.C. Act registered at Police Station  
Vigilance Bureau Range, Ferozepur.

2. As per allegations levelled in the FIR by the petitioner  
Annexure P-1, in December 2023, respondent No.2, an official of  
PSPCL, visited the factory of the complainant along with other staff  
members for the purpose of meter inspection. Upon finding the CTPT  
meter to be faulty, respondent No.2 allegedly informed the complainant  
that a substantial penalty in the range of ₹15 to ₹20 lakh could be  
imposed, but assured that the fine could be reduced in consultation with  
the enforcement team.

3. It is further alleged in the FIR that respondent No.2 thereafter demanded illegal gratification of ₹2,25,000/-, which the complainant claims to have paid partly by transferring ₹2 lakh to the account of a third party, details of which were allegedly shared by respondent No.2, and partly through Google Pay and cash. Despite this payment, a penalty notice of ₹2,44,708/- was later issued to the complainant.

4. The petitioner/complainant contends that the explanation offered by respondent No.2 suggesting the amount related to a private transaction involving the sale of plastic crates through one Sunil Kumar, was concocted and improbable, particularly since the complainant himself runs a manufacturing unit producing such crates. It is also alleged that respondent No.2 attempted to procure fabricated documents to justify the payment.

5. It has been argued by the learned counsel for the petitioner that the learned trial Court failed to appreciate the true nature of the allegations and erroneously accepted the version put forth by the respondent No.2/accused while passing the impugned order granting him the concession of anticipatory bail, without adequately considering the available documentary evidence.

6. It has been further submitted by the learned counsel for the petitioner that the material placed before the Court clearly indicated receipt of illegal gratification by respondent No.2 in his official capacity. However, such material was overlooked by the trial Court while granting anticipatory bail.

7. On a specific query put to the learned counsel for the petitioner as to whether there had been any breach of bail conditions or

whether respondent No.2 had engaged in any post-bail misconduct, learned counsel fairly conceded that no such incident had occurred. There was no allegation of interference with the investigation, influence on witnesses, or tampering with evidence after the grant of anticipatory bail. Instead, the primary ground, which has been urged by the learned counsel for the petitioner, remained that the allegations were serious and that the concession of anticipatory bail was wrongly extended.

8. On a query put to the learned counsel for the State, he also, on instructions, submitted that no complaint or report had been made to the police with respect to any tampering with evidence by respondent No.2/accused or he being involved in any other criminal case after being extended the concession of anticipatory bail vide the impugned order.

9. I have heard learned counsel for the parties and perused the relevant material on record.

10. It is a settled principle that cancellation of bail cannot be sought merely on the ground that bail ought not to have been granted. Once bail is granted, it can be set aside only upon a showing that the order suffers from gross illegality or that there has been a clear misdirection in the application of legal principles.

11. The power to cancel bail must be exercised sparingly and only when cogent and compelling reasons exist. The Courts are required to take a balanced view-safeguarding the interest of justice without lightly disturbing a decision that affects the liberty of an individual.

12. Ordinarily, cancellation of bail may be justified if there has been misuse of the liberty granted, such as attempts to interfere with the investigation, influence witnesses, tamper with evidence, or commit similar offences while on bail. However, a mere reiteration of the case

of the prosecution or a plea for reappreciation of the same material already examined at the time of grant of bail, is not sufficient ground for cancellation.

13. Adverting to the present case, there is no material to suggest that respondent No.2 has abused the concession of bail in any manner. There are no allegations of any post-bail hyphen post-bail misconduct, nor is there any claim that new incriminating material has surfaced after the grant of bail. The FIR and the documents now relied upon were already on record at the time anticipatory bail was granted. Thus, a re-evaluation of the case purely on the basis of the same facts and material previously considered by the trial Court cannot be carried out.

14. Even though the allegations against respondent No.2 are serious and concern corruption by a public servant, seriousness of the charge alone is not sufficient to justify cancellation of bail once it has been granted, unless accompanied by conduct or developments that adversely impact the integrity of the investigation or administration of justice.

15. Having considered the totality of circumstances and in the absence of any new material or post-bail misconduct on the part of respondent No.2, this Court finds no justification to interfere with the order granting anticipatory bail.

16. Accordingly, the instant petition stands dismissed.

**April 7<sup>th</sup>, 2025**

*Puneet*

**(MANJARI NEHRU KAUL)  
JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : Yes