

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

CRM-M No.32587 of 2015

Date of Decision:-28.10.2015

Raman Kumar Garg.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Anurag Chopra, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
along with SI Pawan Kumar.

Prayer is for grant of anticipatory bail under Section 438 Cr.PC to the petitioner Raman Kumar Garg in case FIR No.221 dated 14.11.2013 for offences punishable under Sections 177, 420, 465, 467, 468 & 471, 120-B of Indian Penal Code registered with Police Station Division No.5 Civil Lines, Ludhiana.

On the previous date of hearing following order was passed:-

“ *Facts in brief are that co-accused Ramesh Mehan is owner of the proprietary firm M/s York International, and his son Rajiv Mehan is the owner of the proprietorship firm M/s Shreyas International. Both the said firms are engaged in the business of Spinning Yarn. They allegedly exported readymade garments worth around Rs.16 crores to Bangladesh and sought refund of VAT to the tune of Rs.74 lacs.*

Co-accused-Vinod Kumar Garg is stated to be

the owner of a proprietorship firm under the name and style of Umesh Spinners whereas his son Raman Garg-petitioner along with one Brij Lal are stated to be directors of M/s Jaldhara Cotspin Pvt. Ltd.

As per the allegations in the FIR lodged by Excise and Taxation Department, the refund of 24 lacs was fraudulently obtained as there was no actual exports made, instead fraudulent documents had been prepared and submitted showing the movement of goods to claim illegal refund of the VAT.

The role attributed to the petitioner is that he is also one of the beneficiaries of a portion of the said illegal refunded amount as also supplied forms containing his Ids used in the fake transaction.

Learned Counsel for the petitioner submits that the main accused have already been arrested and investigations are over. However, he is willing to join investigation since the case is based on documentary evidence.

Learned State Counsel on instructions from ASI Dharam Pal submits petitioner has not yet joined investigation.

List on 28.10.2015.

Petitioner is directed to join investigation and in the event of his arrest, petitioner shall be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, he shall join the investigation as and when called upon to do so and abide by the conditions as envisaged under Section 438(2) Cr.PC.

Learned Counsel for the petitioner submits that pursuant to the interim order passed by this court petitioner has joined the investigation.

Learned State counsel on instructions from SI Pawan Kumar submits that pursuant to the interim order passed by this court petitioner has

joined the investigation and is no longer required for custodial interrogation.

In view of the above, interim protection/bail granted vide order dated 01st of October, 2015 is made absolute.

Petition stands disposed of.

**(JASWANT SINGH)
JUDGE**

October 28, 2015
Vinay