

CRM-M-20054-2016

Date of Decision : 17.08.2016

Anil Kumar

.....Petitioner

versus

State of Haryana

....Respondent

**CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI****Present:** Mr. Durga Dutt Sharma, Advocate  
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

**M.M.S. BEDI, JUDGE (ORAL)**

Allegation against the petitioner is that he arranged a fake Trade Certificate of I.T.I. Mirzapur (U.P.) in the name of co-accused Karambir Singh, who obtained job of Assistant Lineman in Electricity Department on the basis of said fake certificate. Petitioner and his co-accused Ajay Gill who are running an educational institute at Jind obtained money from Karambir Singh for arranging said certificate. Karambir Singh was arrested and he disclosed about the involvement of petitioner in the forgery.

With the assistance of counsel for the petitioner and State counsel, I have gone through the police file which indicates that there are certain deposits made in the account of Ajay Gill and sister-in-law of the petitioner.

I have considered the contention of learned counsel for the

petitioner that the amount deposited in the various accounts are pertaining to different money transactions. The perusal of the police file also indicates that on account of some defect having been found in the certificate, the petitioner had promised Karambir Singh to get it rectified.

Taking into consideration the totality of the circumstances, I am of the opinion that no extra-ordinary exceptional circumstances exists to grant concession of pre-arrest bail to the petitioner who is *prima facie* responsible for playing fraud with his co-accused Karambir Singh who had to suffer not only the financial loss but had to lose his service also. In view of the statements of Ajay Gill and Karambir Singh, co-accused, the culpability of the petitioner is apparent. It will be premature to express any opinion whether the statement of accomplice can be used against the petitioner as the petitioner has been indicted on the basis of the statement of Karambir Singh who has stated that petitioner had promised to get Trade Certificate from I.T.I., Mirzapur and he had received money which *prima facie* stands established from the police record.

Without expression of any opinion on merits, I do not find any ground to grant concession of pre-arrest bail to the petitioner.

I have also considered the contention of the learned counsel for the petitioner that co-accused Ajay Gill has been granted concession of pre-arrest bail. Taking into consideration the role of the petitioner that he was responsible for arranging the fictitious certificate for Karambir

Singh, he cannot claim parity with his co-accused Ajay Gill.

Petition is dismissed.

Nothing said in this order will prejudice the right of the petitioner to seek concession of regular bail.

**(M.M.S. BEDI)**  
**JUDGE**

**17.08.2016**

*Neha*

Whether Speaking/Reasoned: Yes/No

Whether Reportable: Yes/No