

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No.M-94 of 2017

Date of Decision: February 14, 2017

Sushil Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Baljinder Singh, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. Advocate General, Haryana

Amol Rattan Singh, J. (Oral)

Learned State counsel, on instructions, submits that the allegations against the petitioner are now not seen to be based only on his possible lack of knowledge of the assessee in Rajasthan not having a registration certificate to sell cement, but also on the fact that the trucks also stated to have been used in the transactions, by which allegedly cement was sold by the petitioners' firm to the dealer in Rajasthan, are vehicles which are seen to have not plied on the route in question at all on the dates of the alleged transactions.

The allegation, therefore, is that the entire transactions were sham transactions only to obtain input tax credit but were detected by the tax authorities in Haryana and therefore, the case was registered against the petitioner and his co-accused.

In the aforesaid circumstances, without making any comment on what has been stated above, by the learned State counsel, I do not consider this case to be a fit case where concession of anticipatory bail can be continued.

Interim order dated 18.01.2017 stands vacated.

Accordingly, the petition is dismissed.

(AMOL RATTAN SINGH)
JUDGE

February 14, 2017

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Whether reasoned/speaking: Yes

Whether reportable: no