

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

**CRM-M-27034-2018
Date of decision: 03.12.2018**

David Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. P. S. Ahluwalia, Advocate
for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 55 dated 22.05.2018, under Sections 420, 199, 200 and 120-B of the IPC, registered at Police Station City Rampura, District Bathinda.

The operative part of the order dated 02.07.2018, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has submitted that the petitioner is working as a Clerk in the office of District Transport Office at Bathinda. It is further submitted that as per the allegation in the FIR, the co-accused Ranvir Singh had purchased a car from the dealer i.e. Goyal Automobiles on 11.05.2017 vide invoice (Annexure P2) and in the invoice in the column of hypothecation, it was mentioned as N/A. It is further submitted that even in Form No.20 issued by the dealer, neither the signatures of the Financer were there nor any description of the Financer was given and on the basis of the documents submitted by said Ranvir Singh, the Registration Certificate was issued on 03.06.2017 by one Pawan Kumar, the then Registration Clerk. It is further submitted that, later on, Ranvir Singh lodged a DDR (Annexure P6) that he has lost the original Registration Certificate and on the basis of the same, a duplicate Registration Certificate

was issued on 22.06.2017, by the petitioner and the same was issued on the basis of the documents already submitted and on the basis of the earlier Registration Certificate issued on 03.06.2017. Counsel for the petitioner has also submitted that, later on, on 11.07.2017, a letter (Annexure P5) was issued by the dealer to District Transport Officer, Patiala that inadvertently, in the column of hypothecation, the name of the Bank was not mentioned and requested to issue a fresh Registration Certificate, which was issued on 11.07.2017 by one Smart Chip Company as the office has outsourced the job for issuance of Registration Certificate to the said company. Counsel for the petitioner has further relied upon the initial enquiry conducted by the Investigating Officer wherein, he has reported that Ranvir Singh, in connivance with the officials of Sales Manager of Goyal Automobiles has got the invoice/Form No.20 issued regarding the car without mentioning the details of the loan/hypothecation by the Bank on 03.06.2017 and the petitioner was not named in the FIR at the first instance.

Notice of motion for 24.09.2018.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 02.07.2018, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Parkash Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 02.07.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

December 03, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*