

208

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6419 of 2018

Date of Decision: 05.04.2018

SATISH KUMAR YADAV

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. P.S. Dhaliwal, Advocate
for the petitioner.

Mr. Satish Saini, D.A.G., Haryana.

Mr. Ashwani Talwar, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

On 16.02.2018, following order was passed by this
Court:-

“Learned counsel for the petitioner contends that petitioner is a surveyor who conducted the survey and submitted a report after physical verification of the vehicle. Chassis number was correctly verified as per entry in the registration certificate. Petitioner is not the author of registration certificate, voter ID card, driving licence, Aadhaar Card and passbook of the bank. The forgery in respect of these documents cannot be fastened upon the petitioner.

Notice of motion for 05.04.2018.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on

21.02.2018 at 11.00 AM and in the event of his arrest, he shall be enlarged on ad interim bail, subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submitted that in view of allegations in the FIR, it was alleged that no such vehicle i.e. make Tata Hywa bearing registration No.HR-61B-6540 was physically inspected by the petitioner. The alleged forgery even if committed by the Bank officials cannot be attributed to the petitioner, particularly when Ex.Manager Sandeep Kumar and Rajesh Kumar son of Khushi Ram have admitted their guilt in the context of documents created by them.

Learned counsel further submitted that whatever vehicle was assigned to the petitioner, he simply inspected the same and submitted his survey report with reference to chassis number and registration certificate. If at all there is some ambiguity in terms of registered owner of the vehicle, the same is not attributable to the petitioner.

Learned State counsel duly assisted by learned counsel for the complainant however opposed the prayer on the ground that the petitioner is an accused of conspiracy in making forged registration certificates of the vehicles and of giving incorrect valuation report without checking the original documents of the

vehicle in question.

At this stage, it can be *prima facie* seen that the Ex.Manager of the Bank namely Sandeep Kumar has volunteered his complicity in the aforesaid fraudulent activities by admitting in the letter given to the bank in his own handwriting. He also volunteered to make payment of the amount so misappropriated by him. Similarly Rajesh Kumar has also admitted his involvement in the aforesaid fraud.

At this stage, without commenting upon merits of the case, I deem it appropriate to confirm the interim order dated 16.02.2018. Ordered accordingly.

Petition stands disposed of.

April 05, 2018

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No