

**205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-15055-2020
Date of Decision : 17.03.2021**

Parmod Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Chetan Kapoor, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 92 dated 06.02.2020 under Sections 384, 406, 419, 420, 467, 468, 471, 474, 506 and 120-B of the IPC registered at Police Station City Karnal, Haryana.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant-Vinod Goel, it is stated that he is running a shop in the Grain Market and is also involved in the business of rice shelling. In October/November 2019, accused/petitioner Parmod Kumar called the complainant on his mobile phone and asked him to come to the office of Enforcement Directorate, New Delhi for some work as there is a summon in the name of his firm namely M/s Real Agro Food in the file of Rahul Rajput, Joint Director, Enforcement Directorate, New Delhi. In this regard, a show cause notice dated 15.11.2019 was also shown to the complainant, in which some action was proposed. When the complainant went to Old Sabzi Mandi, he met accused No.2- Rampal who had shown summon/notice and informed that they

can manage the higher officials of Enforcement Directorate. On this, the complainant became mentally upset and met accused No. 2 at Rohini Metro Station. Then, accused No.3 namely A.K. Singh introduced himself as ADGP, Delhi Police and told that he is holding the charge of the Enforcement Directorate, Corruption Bureau. Thereafter, all the 03 accused asked the complainant to raise Rs. 20-25 Lakh as tax in Enforcement Directorate Office and on that pretext, the complainant after consulting his nephew and partners namely Deepak Goel and Sandeep Goel along with Rs. 20 Lakh went to Delhi and met accused No.3 along with the other two accused and handed over a bag containing Rs. 20 Lakh to accused No. 3.

Learned counsel for the petitioner further submits that petitioner is in custody for the last about 01 year and 16 days; *challan* has been presented and he is no more required for any further custodial investigation.

Learned counsel for the petitioner further submits that during investigation, the police exonerated two persons and presented *challan* only against petitioner Parmod Kumar.

Learned counsel for the petitioner further submits that the entire evidence of the complainant, which is interlinked with two other persons, will collapse once the police has given clean chit to the said two persons.

Noticing the aforesaid fact dated 19.01.2021, the Investigating Officer was directed to file a specific affidavit.

As per the affidavit of the Deputy Superintendent of Police, Karnal it is stated that the complainant has given an affidavit dated 26.02.2020 that co-accused A. K. Singh is not the person who introduced himself as ADGP, Delhi Police and he had given all the money to Parmod Kumar.

It is further stated that as per the inquiry of Incharge, CIA-II, Karnal, no involvement of Rampal and A. K. Singh was found in the case.

Learned State counsel submits that charges are yet to be framed.

I have heard learned counsel for the parties.

Without commenting on the merits of the case and considering the fact that petitioner is in judicial custody for the last about 01 year and 16 days; charges are yet to be framed and it will take a long time in conclusion of the trial, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

17.03.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No