

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

Sr. No. 103

CRM-M-18295-2021

DATE OF DECISION: April 30, 2021

PREM KUMAR

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Munish Mittal, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

This petition has been filed for grant of anticipatory bail in FIR No.137, dated 07.03.2021 registered at Police Station Indri, District Karnal, under Sections 408, 420, 467, 468, 471, 120-B IPC and Section 201 IPC added later on.

According to the contents of the FIR, 22 old vehicles were illegally registered as new vehicles. All these vehicles were financed and were repossessed as the loan was not repaid. Thereafter, they were auctioned and the purchasers in collusion with the Registering Authority got them registered as new vehicles *inter alia* by forging the documents.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR even though the same was registered after conducting a preliminary investigation. Only Anil Kumar the then Motor Vehicle Inspector has been mentioned in the FIR and this in itself shows

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that the name of the petitioner has been wrongly included at a later stage. The process of registration is totally computerized and there is no evidence on record to suggest that the petitioner was involved in the process of preparation of documents. Thus, his custodial interrogation is not necessary.

A perusal of the record shows that during the police investigation it has come to light that the petitioner, who was the then MRC Clerk, was a part of the conspiracy hatched for registration of old vehicles as new vehicles. The police investigation shows that all files for registration of new vehicles were routed through the petitioner and it was his responsibility to check the same before putting them before the Registering Authority. Under the circumstances, it is apparent that inclusion of the name of the petitioner cannot be said to be illegal or malafide. The police investigation is an on going process and it is possible that during the preliminary investigation which was conducted only by getting documents from the concerned Registering Authority, the role of the petitioner was not highlighted.

In view of the above, the petition has no merit and is dismissed.

April 30, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No