

**CRM-M-24302-2021 &
4 connected petitions**

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219 (5 cases)

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

Date of Decision: 09.09.2021

1. CRM-M-24302-2021

Naresh Kumar

Petitioner

Versus

State of Haryana

Respondent

2. CRM-M-23625-2021 (O&M)

Jasbir Singh

Petitioner

Versus

State of Haryana

Respondent

3. CRM-M-24125-2021

Pardeep Kumar

Petitioner

Versus

State of Haryana

Respondent

4. CRM-M-24319-2021

Rajesh

Petitioner

Versus

State of Haryana

Respondent

5. CRM-M-27052-2021

Parag Kumar

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner
[in CRM-M-24302-2021].

Mr. Sandeep Goyat, Advocate for the petitioner
[in CRM-M-23625-2021].

Mr. Sandeep Singh Rana, Advocate for the petitioner
[in CRM-M-24125-2021].

Ms. Harmanpreet Kaur, Advocate for the petitioner
[in CRM-M-24319-2021].

Mr. H.P.S. Ishar, Advocate and Ms. Kuljeet Kaur, Advocate
for the petitioner [in CRM-M-27052-2021].

Ms. Harpreet Kaur, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

[1] Due to COVID-19 situation, the Court is convened through video conference.

[2] These five petitions under Section 439 Cr.P.C. are filed seeking regular bail in F.I.R. No. 156, dated 5th April, 2021, under Sections 420, 467, 468, 471, 201 and 120-B IPC and Section 7 of the Prevention of Corruption Act, 1988 (added later on), registered at Police Station City Fatehabad, District Fatehabad.

[3] The F.I.R. was registered on the basis of inquiry held with regard to registration of one Ritz Car bearing registration No. HR-88-2310 [hereinafter referred to as 'car']. There is a chain of events in which five petitioners have been attributed various roles. Jasbir Singh purchased car in an auction held by Mahindra Finance Company. He, instead of getting the vehicle transferred in his name, sold it to Amit.

Amit got vehicle registered at Charkhi Dadri. Naresh Kumar acted as a middleman for transaction of sale & purchase between Jasbir and Amit. As per disclosure statement of Arjun S/o Bhim Singh, Amit sold the car to Rajesh who again without getting transferred in his name, sold the same to Bhim Singh who got it registered at Fatehabad. Pardeep Kumar working as Typist at Charkhi Dadri and Parag Kumar working as Typist at Fatehabad are alleged to have acted as conduit between the owner of car and officials of Regional Transport Office [hereinafter 'R.T.O.'].

[4] Learned counsel for the petitioners submits that petitioners are in custody since 10th May, 2021. Investigation is complete and no recovery is to be made. The case is based on documentary evidence.

[5] Learned State counsel opposes the prayer for grant of bail and submits that car was got transferred without getting the No Objection Certificate from Maharashtra. Jasbir Singh and Rajesh violated the provisions of Motor Vehicles Act, 1988 by selling the car without getting it transferred in their name. Pardeep Kumar forged the signatures of Amit. She, on instructions, submits that specimen signatures of Amit were obtained and F.S.L. report is awaited. Submission is that it was due to connivance of Pardeep Kumar and Parag Kumar with the officials of R.T.O., the car was registered without complying the procedure. She further submits that affidavits of seller as well as purchaser, report of National Crime Record Bureau (NCRB) and residence proof of Amit are missing from the file.

[6] The fact is that investigation is complete and challan stands

presented. It is not a case where the revenue of the State was affected. There are allegations with regard to non-compliance of statutory requirements which are based on documents available with the investigating agency. Conclusion of trial is likely to take time. No useful purpose would be served by depriving the personal liberty of the petitioners. The petitioners are granted bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[7] The petitions are allowed.

[8] It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[9] Photocopy of this order be placed on the file of each connected case.

**[AVNEESH JHINGAN]
JUDGE**

9th September, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes