

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27976-2021 (O&M)
Date of decision: 13.10.2021

Sonu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Arpandeeep Narula, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.44 dated 06.03.2019 under Sections 406, 420, 467, 468, 471, 120-B IPC, registered at Police Station Adampur, District Hisar.

Learned counsel for the petitioner submits that as per allegations in the FIR, firm of the petitioner M/s Vishal Industries, Adampur, District Hisar was registered under GST Act, 2017 and as per GST Portal, petitioner Sonu is proprietor of the said firm and details of his Aadhar Card, PAN Card are given in the FIR. It is further stated that the petitioner shown total outward business worth Rs.57, 87,41,759/- during the period September 2018 to December 2018 and claimed OTC worth Rs.2,33,39,614/-. It is also stated in the FIR that the petitioner being the taxpayer was found to be involved in evasion of tax and has

caused revenue loss to the tune of Rs.2,89,37,086/-.

Learned counsel for the petitioner has further submitted that the petitioner is first offender; he is in custody since 22.12.2020; he is not involved in any other case and he himself is a victim at the hands of one Anupam Singla, who had floated as many as 92-100 bogus firms, which includes one bogus firm in the name of the petitioner, though he is a small-time Mechanic and allured by Anupam Singla that he may get huge returns and on that pretext, by floating the aforesaid firm, said Anupam Singla had even paid some amount. It is also submitted that similarly situated number of other persons, on whose names, said co-accused Anupam Singla had floated other firms, have already been released on bail and has referred to the order dated 08.02.2021 passed in CRM-M-5117-2021, vide which one Mimanshu Singla, who was also trapped by Anupam Singla, was granted the concession of regular bail by this Court.

Learned State counsel has filed the custody certificate dated 12.10.2021 in the Court today and could not dispute that main accused Anupam Singla is mastermind of the entire racket, who has created fake firms, OTC worth several hundred of crores of rupees. As per the custody certificate, the petitioner is in custody for the last 09 months and 21 days and is not involved in any other case.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid submissions and also in view of the fact that similarly situated other accused, who were also arrested in different FIRs, have already been released on bail, considering the fact that they are not involved in any other case and the offences are triable by

the Court of Magistrate, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

13.10.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No