

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26835-2020 (O&M)
Date of Decision:-7.1.2021

Khalil Ahmed ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Virender Rana, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Mahavir.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.205 dated 6.3.2019 at Police Station Mujesar, District Faridabad under Section 420 of Indian Penal Code, wherein offence under Section 34 IPC was added later on.
2. At the time of issuance of notice of motion on 09.09.2020, the following order was passed:

“The learned counsel for the petitioner submits that as per FIR one Waseem had purchased two vehicles from an agency where the petitioner was working as Team Leader and although the vehicles were

financed but the petitioner did not do the needful for getting the requisite entry regarding the vehicles being financed, incorporated in registration certificates of the vehicles in question. The learned counsel has further submitted that the co-accused Waseem has already been granted bail vide order dated 8.9.2019.

Notice of motion for **9.12.2020**.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Mahavir, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that the petitioner is not required for any custodial interrogation.
4. I have heard learned counsel for the petitioner and also the learned State counsel.
5. It is a case where the petitioner was working in a car agency where two vehicles were sold to Waseem, which were financed. However, at the time of registration of the said vehicles, the factum of the vehicles being financed was not mentioned in the registration certificate.
6. Learned counsel for the petitioner has submitted that he had done the needful and had prepared all the relevant documents indicating the vehicle being financed, but it was the duty of the purchaser Waseem to furnish all the documents to the Registering Authority and that it is co-accused Waseem, who had not furnished the documents and had, thus, been able to get incorrect entries recorded in the registration certificate.

7. This Court finds that it will be debatable as to whether it is the petitioner, who had some role to play in the omission of mention of factum of the vehicle being financed or as to whether it is solely Waseem, who can be held responsible for the same. In any case, since the petitioner has already joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 09.09.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

7.1.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No