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

Date of decision: 22.12.2021

1. CRM-M-22033-2021 (O&M)

Sanjeev Kumar

Petitioner

Versus

State of Haryana

Respondents

2. CRM-M-35631-2021 (O&M)

Krishan Kumar

Petitioner

Versus

State of Haryana

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sandeep Khunger, Advocate and
Ms. Nitika Jaura, Advocate for the petitioner
in CRM-M-22033-2021.

Mr. Amit Kumar Goyal, Advocate for the petitioner
in CRM-M-35631-2021.

Ms. Dimple Jain, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

[1] These two petitions under Section 439 Cr.P.C. are filed seeking regular bail in FIR No. 28, dated 1st February, 2021, under Sections 420, 467, 468, 471, 408, 409, 201 and 120-B IPC, Sections 7, 8, 9 and 13 of the Prevention of Corruption Act, 1988 registered at Police Station Bilaspur, District Yamuna Nagar.

[2] The FIR was initiated on the complaint made by Sanjeev Kumar (petitioner in CRM-M-22033-2021) working as Motor Registration Clerk, office of Sub Divisional Officer (N), Bilaspur. As per the complaint, it was found that vehicles were being got registered on the basis of forged documents. The matter was inquired into and it was found that some private individuals in connivance with the officials of Motor Registration Department were getting registered vehicles purchased in auction, by using forged and fabricated documents. The role attributed to Krishan Kumar (petitioner in CRM-M-35631-2021) is that he was the auction purchaser.

[3] Mr. Sandeep Khunger, learned counsel appearing for Sanjeev Kumar submits that petitioner was whistle blower and on his complaint, Registration Certificates (RC) of twenty nine vehicles were cancelled and matter was sent to the Police Station for registration of FIR. His submission is that petitioner is in custody since 14th February, 2021, investigation is complete, challan stands presented and no recovery is to be made from him.

[4] Mr. Amit Kumar Goyal, learned counsel appearing for Krishan Kumar submits that that the case is primarily based on documentary evidence.

[5] Learned State counsel opposes the prayer for grant of regular bail. She submits that Sanjeev Kumar was government official and without his connivance, the registration on the basis of forged documents could not have been possible. He misused the signing

authority given by the Sub Divisional Officer.

[6] She opposes the prayer made by learned counsel appearing for Krishan Kumar on the ground that he is involved in other FIRs. He is auction bidder and the beneficiary.

[7] The case is *prima facie* based upon documentary evidence. As per instructions of learned State counsel all the accused were arrested. Considering the custody period, the facts that investigation is complete, challan stands presented and conclusion of trial is likely to take time, the petitioners are granted regular bail subject to their furnishing adequate bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[8] The petitions are allowed.

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

[10] Since the main cases are disposed of, the pending applications, if any, also stands disposed of.

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

**[AVNEESH JHINGAN]
JUDGE**

22nd December, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No