

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

**CRM-M No.43874 of 2021
Date of Decision:-07.12.2021**

Manjeet Jakhar

.....Petitioner.

Versus

State of Haryana

.....Respondent.

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Argued by:- Mr. Deepak Girotra, Advocate
for the petitioner.

Mr. Apoorv Garg, D.A.G, Haryana.

Mr. Sudhanshu Makkar, Advocate
for the complainant.

MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case arising out of the FIR bearing No.114 dated 22.05.2021 registered at Police Station Civil Lines, Bhiwani, under Sections 406, 420, 467, 468, 471 and 120-B IPC, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled by complainant Devender (as the Special Attorney of one Kuldeep Singh) in the subject FIR, are that said Kuldeep Singh purchased a vehicle (Verna

Car) bearing registration No.HR-26EC-1400 from the co-accused of the petitioner named Manoj Kumar, for a sum of Rs.4 lacs and the said vendor swore an affidavit in this regard. Subsequently, the complainant came to know that the petitioner was the owner of the said Car, which was earlier registered at Jhajjar with the registration No.HR-14K-4947 and he (petitioner) had secured a loan from Mahindra Finance Company against this vehicle but he, in collusion with his said co-accused, forged the NOC (No Objection Certificate) of the said Finance Company and got a new registration certificate of this vehicle issued in the name of his said co-accused from the office of the Registering Authority at Gurugram with a different number, i.e HR-26EC-1400 and then, they fraudulently sold the same to Kuldeep Singh.

I have heard learned counsel for the petitioner as well as learned State counsel (assisted by learned counsel for the complainant) in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in this case whereas he had no role to play in the alleged crime because it was his above-named co-accused, who had sold the said Car to Kuldeep Singh and in these circumstances, he (petitioner) deserves the relief as prayed for in this petition.

Per contra, learned State counsel has argued that the petitioner had secured a loan against the said Car and without repaying the same, he, in connivance with his said co-accused, forged the NOC of the Finance Company, and on the basis thereof, he got the new registration certificate,

with a different number of the said vehicle, issued in the name of his co-accused and keeping in view the gravity of the offence as committed by him, this petition be dismissed.

As categorically mentioned in Para No.3 of the status-report, the said Car was, earlier, registered in the name of the petitioner with registration No.HR-14K-4947 and he, in collusion with his co-accused, got the NOC issued in the name of his co-accused from the office of SDM, Jhajjar by way of tempering with the documents and on the basis of the same, the above-said fresh registration certificate was got issued in the name of his co-accused, with afore-mentioned new number, from the office of SDM, Gurugram without the entry qua the above-said loan therein. In Para No.4 of the status-report, it has further been mentioned that during the investigation, it has been revealed that the loan of Rs.4,81,400/- was outstanding as on 30.09.2021 and no NOC qua the clearance of the loan amount, in respect of the vehicle bearing registration No.HR-14K-4947, had been issued by the said Finance Company till that day. In such circumstances, the possibility of the requirement of the custodial interrogation of the petitioner to elicit the truth regarding the *modus-operandi* adopted by him and his said co-accused in committing the alleged crime, cannot be ruled out.

Keeping in view the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed.

However, it is clarified that nothing contained here-in-before shall be construed to be an expression of the opinion of this Court on the merits of the case.

December 07, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*