

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

CRM-M-23154 of 2022

Date of Decision: 30.05.2022

Vikas Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Narender Pal Bhardwaj, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

Prayer is for grant of anticipatory bail in case FIR No.0179 dated 10.03.2022 under Sections 420,467,468,471 IPC (Sections 409 and 120-B IPC added later on) registered at P.S Sector 32-33, Karnal, District Karnal.

FIR was registered on the basis of a complaint dated 10.03.2022 submitted by Ravinder Jaglan, Assistant Food and Supply Officer, Karnal. He stated that on 04.02.2022, a complaint had been received in the office of Assistant Food Supply Officer, Karnal from one Vikas Sharma. In that complaint, it was alleged that Devender Mann, Inspector, Food and Supply Department, Karnal during his posting at PR Centre Karnal had issued forged SBPL ration cards. The complaint was got inquired by the District Food and Supply Controller, Karnal from Inquiry Officer-cum-Assistant Food and Supply Officer, Indri. The said Officer submitted his report dated 03.03.2022. It was found that all the 110 ration cards were forged. The names of said ration cards holders do not figure in any list of BPL beneficiaries prepared by the Government. These ration cards were prepared during the period from February 2020 to June 2020. At

that time, Devender Mann, Inspector, Food and Supply Department was posted at P.R Centre, Karnal. Devender Mann had allocated the forged ration cards to the Depot Holder Vikas Kumar (petitioner). One Anil and Prem Kumar, father of the petitioner, were nominees in the said ration cards. These accused acting together had disbursed ration by using forged ration cards after obtaining thumb impressions of the beneficiaries SBPL card holders on POS machine.

It has come during investigation that in the preparation of 110 forged BPL ration cards, mobile No.93064-60591 was used, which belongs to Arun Kumar, brother of the petitioner. It was also found that during the period from March 2020 to February 2022, ration to the extent of Rs.32 lacs had been disbursed through use of 110 BPL ration cards.

Allegations thus are that the ration worth Rs.32 lacs had been improperly disbursed.

Mr. Bhardwaj, learned counsel for the petitioner has contended that the petitioner has falsely been implicated in this case. He argued that the ration cards were allotted to the ration depot of the petitioner by the Food and Supply Department, Haryana as per norms. Alleged forged ration cards have been prepared by the then Inspector Devender Mann. These were verified and approved by the Food Supply Officer/Assistant Food Supply Officer by the use of their government IDs, which were in their exclusive possession. No private person/Depot holder had any role to play in the preparation of the ration cards. Moreover, the Central Government has launched 'One Nation One Card' scheme under which a ration card holder can receive his ration from any depot holder as per convenience by merely showing Aadhar card and affixing his thumb impression on POS

machine, if his name is entered in the official portal of the Food and Supply Department of the State concerned.

He further argued that the present FIR has been registered as a counter blast to the numerous complaints submitted by Arun Kumar, brother of the petitioner who through those complaints has exposed massive corruption in the Food and Supply Department. The Department has acted in vindictive manner and involved the petitioner, his brother and other family members in false cases. Multiple FIRs have been registered against them. It is submitted that the entire case is based on documentary evidence and that the petitioner is ready and willing to cooperate with the investigating agency.

It is not possible to accept the contention of learned counsel for the petitioner. The inquiry report clearly discloses that 110 SBPL cards were prepared. The names of these ration card holders do not figure in any BPL list prepared by the Government. All 110 ration cards have been registered with the ration Depot of the petitioner. In all the ration cards, the nominees are Prem Kumar (father of the petitioner) and Anil Kumar. Mobile number from which the applications of ration cards were uploaded is registered in the name of Arun Kumar, brother of the petitioner. Government ration worth Rs.32 lacs has been disbursed by the use of 110 forged ration cards. In the light of these facts, the contention of learned counsel for the petitioner that the petitioner cannot be said to be complicit in any manner in said irregularity and that the entire blame rests only with the Department officials who prepared the forged ration cards, cannot be believed.

The ration distributed through the Public Distribution Scheme

is meant for the benefit of the most deprived and needy sections i.e, those who fall under the BPL category. Most of them almost entirely depend on this ration distributed through the Public Distribution System for their very sustenance. Any diversion of the ration to the non-eligible persons has necessarily to be viewed with greatest seriousness. In this case, ration worth Rs.32 lacs has been disbursed on the basis of forged SBPL ration cards from the depot of the petitioner to those who were not eligible.

In view of the aforesaid, no ground is made out for grant of anticipatory bail.

Dismissed.

May 30, 2022
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No