

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

Criminal Misc. No.M-24414 of 2022(O&M)

Date of Decision: May 31, 2022

Vikas Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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

Mr.Saurabh Girdhar, AAG, Haryana.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 438 Cr.P.C for grant of pre-arrest bail in case FIR No.266 dated 23.04.2022 under Sections 409, 420, 467, 468, 471 and 120-B IPC, Police Station Sector-32-33, Karnal.

The present case was lodged on the complaint of one Ravinder Jaglan, Assistant Food and Supply Officer, Karnal. It was alleged that on 16.04.2022 a complaint vide C.M.Twitter No.3740157 (3739920) had been received 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 86 forged SBPL ration cards had been prepared during the period from February, 2020 to June, 2020. The application forms of all such ration cards had the same mobile number which belonged to co-accused Arun Kumar (brother of the petitioner). 5 of the said ration cards were registered in the depot of petitioner Vikas Kumar and government ration to the tune of Rs.24,64,870/- had been disbursed to fictitious SBPL card holders from the depot of the petitioner Vikas Kumar by obtaining thumb impressions of fictitious persons on POS Machine.

The case of the prosecution is that the entire racket of preparation of forged ration cards and embezzlement of government ration meant for the needy section of the Society, was being run by petitioner Vikas Kumar, his brother Arun Kumar in collusion with Inspector Devinder Mann.

Mr. Bhardwaj, Ld. 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 86 bogus SBPL cards were prepared. The names of these ration card holders do not figure in any BPL list prepared by the Government. Some of such forged ration cards were allotted to the Depot of the petitioner. Government ration worth Rs24,64,870/- lacs has been alleged to be disbursed by the use of 86 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.24,64,870/- has been disbursed on the basis of forged SBPL ration cards to those who were not eligible.

In view of the aforesaid, there is no ground to grant the benefit of pre-arrest bail to the petitioner.

Dismissed.

May 31, 2022
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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No