

CRM-M-30291-2021 and
CRM-M-32012-2021

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Decided on: 10th March, 2022

1. CRM-M-30291-2021

Kikheto Achumi

Petitioner

Versus

State of Haryana

Respondent

2. CRM-M-32012-2021

Kikheto Achumi

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Trideep Pais, Senior Advocate with
Ms. Nanda Devi, Advocate and Mr. Gurjot Singh, Advocate
for the petitioner.
Ms. Dimple Jain, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. These two petitions under Section 439 Cr.P.C. are filed seeking regular bail in FIR No. 263, dated 21st June, 2020, under Section 379, 120-B, 409, 420, 411, 467, 468, 471, 473 and 484 of Indian Penal Code, 1860 and Sections 7, 8 and 13 of the Prevention of Corruption Act, 1988 added later on, registered at Police Station Meham, Rohtak and FIR No. 237 of 2020, dated 5th June, 2020, under Sections 120B, 201, 420, 467, 468 and 471 of Indian Penal Code, 1860 and Sections 7 and 13 of the Prevention of Corruption Act, 1988, registered at Police Station Meham, Rohtak.

2. The case of prosecution is that luxury vehicles were being stolen and sold by getting them registered on the basis of forged documents. Petitioner-Kikheto Achumi was named by co-accused in disclosure of disclosure i.e. Parveen disclosed Amit and Amit disclosed Kikheto Achumi.
3. Learned counsel for the petitioner submits that petitioner is in custody since 20th December, 2020, he was enlarged on bail in FIR No. 560/2019 and no recovery was made from him. The co-accused in the present FIR was granted bail by the Sessions Court.
4. Learned State counsel opposes the prayer for grant of regular bail on the ground that petitioner is involved in nine more FIRs having similar allegations. She on instructions fairly submits that investigation is complete, challan stands presented, though no prosecution witness has been examined till date. She on instructions, is not in a position to dispute the fact that in FIR having similar allegations the petitioner was granted bail by this Court. However, she submits that petitioner is resident of State of Nagaland and there are chances of absconding, hence, stringent conditions be imposed on him, as was done in order dated 2nd June, 2021 in case of FIR No. 560/2019.
5. Without commenting upon the merits of the case, considering that no recovery was made from the petitioner, he was granted bail in FIR No. 560/2019 and in FIR No. 121/2020, co-accused was granted bail, conclusion of the trial is likely to take time and the involvement of the petitioner in other FIRs having similar allegations in itself would not be a sufficient ground to deprive his personal liberty, petitioner is granted bail, subject to stringent conditions to be imposed by the trial Court/Duty

Magistrate concerned.

6. The petitions are allowed.
7. Since the main petitions are allowed, pending applications, if any, renders infructuous.
8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
9. Photocopy of this order be placed on the file of the connected case.

[AVNEESH JHINGAN]
JUDGE

10th March, 2022
Parveen Sharma

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