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

CRM-M-30126-2022

Date of decision : 13.12.2022

Sushil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Manvender Chauhan, Advocate for
Mr. Pratham Sethi, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.120 dated 17.03.2021 registered under Sections 201, 409, 420, 467, 468, 471, 477-A and 120-B of the Indian Penal Code, 1860 at Police Station City Gohana.

On 15.07.2022, a Coordinate Bench of this Court was pleased to pass the following order:-

“CRM No.24219 of 2022

Heard.

Keeping in view the reasons as mentioned in this application, the same is allowed.

CRM-M No.30126 of 2022

The petitioner herein seeks the relief of anticipatory bail in the criminal case arising out of the FIR bearing No.120 dated 17.03.2021 registered at Police Station City Gohana, under Sections 201, 409, 420, 467, 468, 471, 477-A and 120-B IPC.

Learned counsel for the petitioner, inter-alia, contends that the petitioner, who was employed as Clerk with the concerned Registering Authority, was assigned the duty to assess the tax only qua the vehicles sought to be registered and thus, he had no role to play in the alleged crime and has, rather, been falsely implicated in this case and moreover, his name does not find mention in the subject FIR.

Notice of motion.

Ms. Ambika Sood, learned Additional Advocate General, Haryana, who has appeared in this case in pursuance of the copy of the present petition having been sent to the respondent-State in advance, accepts the notice. She seeks time to file a detailed status-report in this matter.

Let the same be filed on or before 04.08.2022.

Sd/-(MEENAKSHI I. MEHTA)

July 15, 2022

JUDGE”

Thereafter, on 09.11.2022, this Court had passed the following order:-

“Learned counsel for the petitioner inter alia contends that the Coordinate Bench of this Court was pleased to issue notice of motion on 15.07.2022 and the petitioner has not joined the investigation as no interim order was passed in favour of the petitioner. It is further submitted that the entire case is based on documents and the petitioner is ready to cooperate with the Investigating Agency. It is contended that the petitioner in order to show his bona fide, is ready to deposit an amount of Rs.1.5 lacs with the office of Transport Commissioner, Haryana without admitting his liability.

Adjourned to 13.12.2022

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as

and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

The petitioner is directed to deposit an amount of Rs.1.5 lacs with the office of Transport Commissioner, Haryana.

It is made clear that in case, the said deposit is not made, then the present interim relief granted in favour of the petitioner would be liable to be vacated.

The deposit of the abovesaid amount would not be construed as an admission of guilt by the petitioner.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid orders, the petitioner has joined the investigation and has deposited an amount of Rs.1.5 lacs with the office of Transport Commissioner, Haryana.

Learned counsel for the State has submitted that the petitioner has joined the investigation and has deposited the abovesaid amount with the office of Transport Commissioner, Haryana.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid orders and also the fact that the petitioner has joined the investigation and has deposited an amount of Rs.1.5 lacs with the office of Transport Commissioner, Haryana, the present petition is allowed and the interim order dated 09.11.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

13.12.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No