

217 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-34104-2021

Decided on: 24th February, 2022

Sunil Kumar @ Ashu

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rahul Bhargava, Advocate for the petitioner.
Ms. Dimple Jain, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 25, dated 14th January, 2021, under Sections 420, 467, 468, 471, 120-B of Indian Penal Code, 1860 and under Sections 7 and 13(1)(d) of Prevention of Corruption Act, 1988, registered at Police Station Sirsa City, District Sirsa.

2. The FIR was result of information received by the police party that private persons in connivance with officials of Registration Authority, Jagadhari were evading taxes by getting the vehicles registered on the basis of forged and fake documents. During inquiry it revealed that modus operandi adopted was that vehicles purchased in auction were got registered in a manner that tax is evaded. The petitioner being an auction purchaser sold vehicles purchased, without getting them transferred in his name. Further in connivance with the officials of Registration Authority got the vehicles registered on the basis of forged documents.

3. Learned counsel for the petitioner submits that petitioner is in custody since 15th January, 2021, investigation is complete, challan stands

presented and no further recovery is to be made from the petitioner. He submits that the case is based upon the documentary evidence. He further submits that co-accused in other FIRs having similar allegations were granted bail by this Court.

4. Learned State counsel opposes the prayer for grant of regular bail and submits that twenty-nine vehicles were recovered at the instance of the petitioner. He in connivance with the government officials got the vehicles registered on the basis of forged documents. She further submits that he is involved in two more FIRs with the similar allegations.

5. The case is *prima facie* based upon documentary evidence. Considering the custody period, the fact that investigation is complete, challan stands presented and conclusion of trial is likely to take time, the petitioner is granted regular bail subject to his furnishing adequate bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

7. It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

24th February, 2022

Parveen Sharma

1. Whether speaking/ reasoned
2. Whether reportable

: Yes /No
: Yes /No