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

Decided on: 11th February, 2022

1. CRM-M-38977-2021

Amit Kumar

Petitioner

Versus

State of Haryana

Respondent

2. CRM-M-39299-2021 (O&M)

Rajesh Kumar

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J.P. Jangu, Advocate for the petitioner
in CRM-M-38977-2021.

Mr. Sant Pal Singh Sidhu, Advocate for the petitioner
in CRM-M-39299-2021.

Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

[1] Due to COVID-19 situation, the Court is convened through
video conference.

[2] These two petitions under Section 439 Cr.P.C. are filed
seeking regular bail in FIR No. 156, dated 5th April, 2021 under Sections
420, 467, 468, 471, 201 and 120-B IPC and Section 7 of the Prevention
of Corruption Act, 1988, registered at Police Station City Fatehabad,

District Fatehabad.

[3] The F.I.R. was registered on the basis of inquiry held with regard to registration of one Ritz Car bearing registration No. HR-88-2310 [hereinafter referred to as 'car']. Jasbir Singh purchased car in an auction held by Mahindra Finance Company. He, instead of getting the vehicle transferred in his name, sold it to Amit Kumar [petitioner in CRM-M-38977-2021]. Amit Kumar got vehicle registered the car at Charkhi Dadri giving his false residential address. Naresh Kumar acted as a middleman for transaction of sale & purchase between Jasbir and Amit Kumar. As per disclosure statement of Arjun, Amit Kumar sold the car to Rajesh s/o Azad, he without getting it transferred in his name, sold the same to Bhim Singh who got it registered at Fatehabad. Pardeep Kumar working as Typist at Charkhi Dadri and Parag Kumar working as Typist at Fatehabad are alleged to have acted as conduit between the owner of car and officials of Regional Transport Office [hereinafter 'R.T.O.']. Rajesh Kumar s/o Pawan [petitioner in CRM-M-39299-2021] was working as Motor Registration Clerk in R.T.O., Charkhi Dadri, he was named in disclosure statement of Pardeep. It was stated that Rajesh Kumar misused the digital signatures of Regional Transport Officer and Rs. 15,000/- were given to him for getting the car registered.

[4] Mr. J.P. Jangu, learned counsel appearing for Amit Kumar submits that petitioner is in custody since 10th May, 2021, he is not named in the FIR, investigation is complete and his specimen

signatures were taken but FSL report is still awaited. It is further contended that petitioner is not involved in any other case and co-accused were granted bail by this Court.

[5] Mr. Sant Pal Singh Sidhu, learned counsel appearing for Rajesh Kumar submits that petitioner is in custody since 10th May, 2021. It is contended that petitioner was named in the disclosure statement, case is based on documentary evidence, no recovery is to be made and investigation is complete. Contention is that co-accused were granted bail by this Court.

[6] Learned State counsel opposes the prayer for grant of regular bail. She submits that car in question was got registered without getting the N.O.C. The provisions of Motor Vehicles Act, 1988 were violated. She further submits that affidavits of seller as well as purchaser, report of National Crime Records Bureau and residence proof of Amit Kumar are missing from the file. She submits that challan stands presented but charges are yet to be framed.

[7] Allegations are with regard to non-compliance of statutory requirements and are based on documents available with the investigating agency. Investigation is complete, challan stands presented and conclusion of trial is likely to take time. No useful purpose would be served by depriving the personal liberty of the petitioners. The petitioners are granted bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

- [8] The petitions are allowed.
- [9] It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.
- [10] Photocopy of this order be placed on the file of each connected case.

**[AVNEESH JHINGAN]
JUDGE**

11th February, 2022
pankaj baweja

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