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

CRM-M-45616-2022 (O&M)

Date of decision : 07.12.2022

Amandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. M.S. Gill, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.280 dated 10.12.2019 registered under Sections 420/465/467/468/471/473/120-B of the Indian Penal Code, 1860 at Police Station City Moga, District Moga.

On 31.10.2022, this Court had passed the following order:-

“Inter alia contends that the petitioner was not named in the FIR and is sought to be implicated in the present case on account of the statement of Darshan Singh son of Jaswant Singh and a copy of which has been annexed as Annexure R-1 along with the State's reply. It is submitted that as per the said statement, the allegations with respect to inducing the said Darshan Singh not to pay government tax on the vehicles belonging to other States, had been made by

Gurwinder Singh and it is he, who had stated that he has contact with the SDM office and further, Gurwinder Singh and Rajwinder Singh son of Gurwinder Singh, who were serving as Data Entry Operators with Motor Transport Clerk in the office of SDM, used to issue RCs of vehicles which were older than the year 2011 by using blank numbers and against Rs.720/- only and issued duplicate RCs. It is further alleged that said Gurwinder Singh and Rajwinder Singh had issued 85 fake RCs. It is also alleged that out of the amount of tax that was to be paid, he used to keep some amount with him and pay the remaining amount and original documents to Gurwinder Singh and Rajwinder Singh and both clerks used to destroy the original documents themselves and also used to fill documents for preparing duplicate RCs of vehicles by forging the signatures and after depositing Rs.720/-, they used to issue duplicate RCs and usurp the government fee. It is stated that the said allegations have not been levelled against the present petitioner and both the said Gurwinder Singh and Rajwinder Singh have been declared as innocent in the present case. It is further stated that as per the said statement of Darshan Singh, only general allegations have been levelled that documents used to be handed over to Motor Transport Clerks, including the present petitioner, who used to issue licences and RCs to them but however, there is no allegation with respect to either any collusion for issuance of any fake RC or sharing proceeds/ money, levelled against the present petitioner. It is further submitted that the petitioner is not involved in any other case and is ready to fully cooperate in the investigation.

Notice of motion for 07.12.2022.

In the meantime, in the event of arrest, the petitioner is ordered to 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.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 31.10.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Tarsem Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 31.10.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 31.10.2022 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.

All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid judgment.

07.12.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No