

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

101+204

DECIDED ON: 28th March, 2022

(1) CRM-M-53344 of 2021 (O&M)

Omparkash Gaur

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

(2) CRM-M-4460 of 2021 (O&M)

Deepak Rawat

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. B.S. Tewatia, Advocate and
Mr. Akashdeep Singh, Advocate for petitioners.

Ms. Geeta Sharma, DAG Haryana and
Ms. Dimple Jain, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

These two petitions are filed seeking anticipatory bail in case of FIR No. 191 dated 13.3.2020, under Sections 409, 420, 467, 468, 471 and 120-B IPC, 1860 and under Sections 7 and 13(1)(D) of the Prevention of Corruption Act, 1988, registered at Police Station City Ballabgarh, District Faridabad.

State has filed the Status report in case of Om Parkash Gaur i.e. CRM-M-53344 of 2021 and has adopted the same in case of Deepak Rawat i.e. CRM-M-4460 of 2021.

As per the case set up, there was an embezzlement of motor vehicle tax while commercial vehicles were being registered in the Registration Authority, Ballabhgarh District Faridabad.. The registrations were being done on the basis of false documents. The role attributed to petitioner-Deepak Rawat is that he was the person who forged the documents on computer. Petitioner-Omparkash Gaur is employee of Deepak Rawat who was carrying on the instructions given by Deepak Rawat and his phone number was mentioned in the documents for registration of the vehicles.

Petitioners-Deepak Rawat and Omparkash Gaur were granted interim bail by this Court in case of FIR No. 191 of 13.3.2020, subject to their joining investigation.

Petitioners joined investigation in pursuance to the order of this Court but were not co-operating.

As per the status report filed, the petitioners joined investigation but neither got the documents recovered nor disclosed the names of co-accused involved. Petitioner-Deepak Rawat did not get recovered the computer and laptop used for forging the documents. Similarly, petitioner-Omparkash Gaur while joining the investigation had not disclosed the facts and the details about the devices used for preparing the false documents.

Learned counsel for petitioner- Deepak Rawat submits that he got recovered the ACER laptop.

Learned State counsel on instructions vehemently opposes the contentions and submits that laptop used in his cloth shop was got recovered

and not the device used for forging the documents.

CRM-M-53344 of 2021 (O&M) and CRM-M-4460 of 2021 (O&M)

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Without commenting upon the merits of the case, considering that the registration of vehicles on the basis of forged documents was done in a planned manner in which each of the accused had a specific role and they acted as a well-oiled machine. *In spite of* granting opportunity to join investigation petitioners had not co-operated. It is not a case for granting of pre-arrest bail, as deeper probe and investigation would be scuttled at the threshold in absence of co-operation of the petitioners.

Dismissed.

Photocopy of this order be placed on the file of connected case.

(AVNEESH JHINGAN)
JUDGE

28th March, 2022
reema

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>