

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

**CRM-M-2561-2023 (O&M)
DECIDED ON: 18.01.2023**

KRISHAN KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Amit Kumr Goyal, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

CRM-2286-2023

Application is allowed as prayed for.

CRM-M-2561-2023

Prayer in the present petition under Section 438 Cr.P.C., has been made for grant of anticipatory bail to the petitioner in FIR No.281 dated 23.04.2021 under Sections 420,467,468,471,201,120-B of IPC registered at Police Station City, District Sonipat.

Learned counsel for the petitioner has contended that he has been falsely implicated in the present case as he was acting only as a dealer facilitating the sale of the vehicles. He also submits that he purchased the said vehicle from an open auction which was later on picked in the case of the present FIR finding that there is some tampering of Registration No. on the chasis of the vehicle.

Notice of motion.

On the asking of Court, Mr. Gagandeep Singh Chhina, AAG, Haryana accepts notice on behalf of respondent/State and states that two vehicles have been recovered from the possession of petitioner which were purchased by him from an open auction and the registration number of the picked up vehicle was revealed at that time when the documents were submitted for registration in the office of SDO, Sonipat.

Looking into the totality of facts and the modus operandi, it can be said that the petitioner is involved in dealership of vehicles and the possibility cannot be ruled out that he with full knowledge and incenses is associated in sale and purchase of stolen vehicles knowingly and willingly. Even, it is the primary duty of the dealer as well as the person, who had purchased the vehicle in auction to have admittedly found that the chasis number was tampered with when the documents were received by him and were to be submitted in the office of SDO, Sonipat for registration of the same for execution of sale and transfer of ownership of the said vehicle.

In view of the above, this Court is of the considered view that custodial interrogation of the petitioner is of utmost importance to unearth the truth as he is working with a particular modus operandi, wherein certain officials, RDO office may also be involved, therefore, concession of anticipatory bail is not warranted in such like offences.

Dismissed on merits as discussed hereinabove.

(SANDEEP MOUDGIL)
JUDGE

18.01.2023
Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>