

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-13265-2022 (O&M)
Date of Decision:-9.3.2023

Ram Niwas @ Ram

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Surinder Singh Duhan, Advocate for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.137, dated 7.3.2021 at Police Station Indri, District Karnal, under Sections 120-B, 408, 420, 467, 468, 471 of Indian Penal Code and Sections 7 and 13 of Prevention of Corruption Act, 1988.
2. The allegations, in nutshell, are that some private individuals in connivance with officials of Office of Sub Divisional Magistrate (SDM) were getting the vehicles purchased in auction registered as new vehicles and thus by getting such vehicles registered as brand new vehicles the roadworthiness of the vehicles stood extended. The petitioner is alleged to be an agent, who had been facilitating the private individuals to get their old vehicles registered as new vehicles.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that the petitioner is neither a beneficiary

inasmuch as no vehicle was registered in his name nor is an official of the registering authority and, as such, there is no evidence worth credence to connect him with the alleged fraud.

4. Opposing the petitioner, learned State counsel has submitted that the petitioner and other co-accused were all conniving with each other so as to defraud the State and cause loss to State Exchequer. It has further been submitted that the petitioner happens to be involved in 7 other cases and, as such, does not deserve to be released on bail. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 1 year and that as many as 26 PWs have been cited.
5. This Court has considered the rival submissions addressed before this Court.
6. It is no doubt correct that the petitioner is stated to be involved in the scam of registration of old vehicles as new vehicles. However, the petitioner has been behind bar for a substantial period of more than 1 year. Several other co-accused including Krishan Kumar, Bunty Kamboj etc. have already been granted bail. Conclusion of trial is likely to consume time inasmuch as 26 PWs have been cited. In these circumstances, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9.3.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No