

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No.101)

CRM-M No. 25512 of 2023

Date of decision : 19.05.2023

Sahil @ Bagga

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Gurbir Singh Sidhu, Advocate for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

(1) Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.245 dated 14.04.2021 registered under Sections 411, 420, 467, 468, 471 and 120-B IPC at Police Station Chandni Bagh, District Panipat.

(2) Briefly stated, the case of the prosecution is that on receipt of secret information the personnel of the Haryana Police at Panipat stopped and checked a truck bearing registration No.HR-39D-8976 and found that its registration papers were fake. The registration certificate of the truck was found to contain a chassis number which did not match with the actual chassis number of the truck. The engine number of the truck was also found to have been removed. A formal FIR was registered and the driver of the truck namely Sandeep was arrested. Sandeep's interrogation led to the recovery of six stolen trucks which were also without proper documentation.

Sandeep's interrogation further led to the arrest of Chander Mohan who revealed Jitender @ Jitu's involvement leading to Jitender @ Jitu's arrest. On being questioned, Jitender @ Jitu disclosed to the police that he was getting prepared fake/forged registration documents of stolen trucks from the officials of the Regional Transport Authority at Bathinda and that one of such officials was the petitioner. Jitender @ Jitu further disclosed that the petitioner had taken from him Rs.1,10,000/- for preparing two registration certificates of two stolen trucks. On such basis, the petitioner was also nominated as an accused.

(3) Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; the query with regard to fake/forged registration certificates raised by the Haryana Police has been answered by the Regional Transport Authority, Bathinda in which it has specifically been stated that it was not the petitioner who had prepared the registration certificates and that the petitioner is also ready and willing to join and cooperate with the investigation.

(4) Learned State counsel opposes the petition.

(5) Learned counsel for the parties have been heard and the records of the case have also been perused.

(6) Co-accused Sandeep was arrested with a stolen truck having a fake/forged registration certificate; Sandeep's interrogation led to the recovery of six stolen trucks and to the arrest of co-accused Chander Mohan and Jitender; on being questioned, Jitender has allegedly disclosed that he used to get prepared fake registration certificates for the stolen trucks from officials of the Regional Transport Authority at Bathinda and that one of

such officials was the petitioner from whom he had got prepared registration certificates for 02 stolen trucks as also that for such services the petitioner had been paid Rs.1,10,000/-.

(7) In the light of the above serious allegations against the petitioner and because he is already facing a case under Section 13 of the Prevention of Corruption Act, 1988 as also because the entire racket of sale/purchase of stolen trucks by using fake/forged registration certificates needs a deeper probe, this Court is of the opinion that the petitioner does not deserve the concession of anticipatory bail.

(8) Dismissed.

(9) It is clarified that the above observations have been made only for the limited purpose of deciding the present anticipatory bail application and the same would not be construed to be an expression of opinion on the merits of the case.

19.05.2023

sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No