

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-47459-2022

Date of Decision: April 11, 2023

Ravi Godara

.....Petitioner(s)

Vs.

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana

ANOOP CHITKARA J. (ORAL)

The present petition has been filed seeking grant of anticipatory bail to the petitioner in case FIR No.67, dated 13.03.2022, under Sections 420, 406, 467, 468, 471, 120-B IPC, registered at Police Station Kosli, District Rewari.

2. Counsel for the State submits that the money was handed over to Ravi Godara-petitioner and affidavit furnished by him is defective and it is not up to the mark. He further submits that in case, petitioner is being granted bail, the same should not be ground of parity to other co-accused. Petitioner is also accused in other cases of similar nature in Mahendergarh.

3. However, counsel for the petitioner submits that no money was handed over to the petitioner. His case is entire on different footing.

4. Since as per the allegations in the present case, the only evidence against the petitioner is in the shape of disclosure statement as such pendency of other case in Mahendergarh is not a factor to deny him bail. As concerned for the objection towards defective affidavit, it needs to be ignored under Article 211 of Constitution of India which is fundamental Principle, in case technicalities come in the way of justice.

5. Considering the entirety of facts and circumstances of the present case, the present petition is allowed subject to the following conditions:-

a) That the petitioner is directed to declare all his assets in two separate notarized affidavit and shall hand over one copy to the Investigator and one to the complainant within 15 days from today, failing which this order shall stand automatically recalled without any reference to this Court. The affidavit shall contain the following details:-

- (a). The complete details of bank account numbers, addresses, and bank statements w.e.f. 1st April 2020 till the date of this order;
- (b). The complete details of all fixed deposits, bonds, debentures, w.e.f. 1st April 2020 up to at least till the date of this order;
- (c). The complete details and balances in all DEMAT accounts w.e.f. 1st April 2020 up to at least till the date of this order;
- (d). The current market value of jewellery, sovereign metals, and all precious articles, held either individually or jointly, up to the date of filing of the extension application;
- (e). Cash-in-hand up to the date of filing of the extension application;
- (f). Details of all immovable properties up to the date of filing of the extension application;
- (g). Annual income from all sources;
- (h). Details of all liabilities;
- (i). Details of all dependent family members, with approximate expenses on medical and education, rent, utilities, and other household necessities of the family.

6 It is also clarified that in case the petitioner is found involved in any other case in which sentence prescribed is more than 07 years, this shall be a factor for cancellation of bail and State shall file application for cancellation of bail.

7. It is further clarified that that this order shall not be a ground of parity to other co-accused.

8. Petition stands allowed and order dated 17.10.2022 is made absolute. All pending application(s), if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

April 11, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No