

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

CRM-M-24098-2024

Date of decision : 20.05.2024

JITENDER MALIK

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

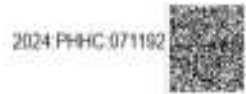
Present : Mr. Lal S. Sandhu, Advocate for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case bearing FIR No.649 dated 24.10.2020 registered for the offences punishable under Sections 406/409/419/420/465/467/468/471/120-B IPC at Police Station City Sirsa, District Sirsa, Haryana.

2 Learned counsel for the petitioner submits that the matter relates to alleged tax evasion and fraudulent claim of the input tax credit by raising bogus bills and bogus funds by one Jitender Trading Company for the Financial Year 2011-2012. He submits that in fact all the employees of the department working at relevant point of time have been now nominated as accused. Main accused namely Rishi Kumar already stands admitted to interim bail vide order dated 12.02.2024 passed in CRM-M-7149 of 2024. Order has been placed on record as Annexure P-4. Further submits that Joint Commissioner Excise and Taxation, at the relevant point of time Mr. Gopi



Chand Chaudhary also stands admitted to bail vide order dated 18.12.2023 passed in CRM-M-59872-2023. He further relies upon order dated 29.01.2024 passed in CRM-M-3349-2024 whereby another co-accused Ashok Sukhija has been granted concession of regular bail, copy of which is placed on record as Annexure P-3.

3 Custody certificate of the petitioner has been produced. The same is taken on record. As per custody certificate, the petitioner is behind bars for more than 4 months and 18 days. Investigation already stands concluded and the challan stands presented. The petitioner is an ex-employee of the company who has clean record and no criminal antecedents apart from these matters.

4 Learned State counsel is not in a position to dispute the aforementioned factual assertions based on record.

5 Without commenting on the merits of the case and considering the incarceration suffered by the petitioner and the fact that the challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6 Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

May 20, 2024

Dpr

(Pankaj Jain)

Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No