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

CRM-M-25805-2024
Decided on: 21.05.2024

Ajay Kumar @ Lala

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mahavir Singh Sharma, Advocate
for the petitioner.

Manjari Nehru Kaul, J. (Oral)

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.126 dated 30.04.2024 under Sections 332, 335, 420, 506, 120-B IPC and Section 42 of Prison Act registered at Police Station Sadar Tauru, District Nuh.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case, as is evident from the fact that his name does not figure in the FIR in question. Learned counsel submits that the petitioner came to be nominated as an accused solely on the disclosure statement made by co-accused Yogender. Learned counsel further submits that as per the disclosure statement of co-accused Yogender, the petitioner had been fabricating forged number plates, which were found on the car in which co-accused was travelling at the time when he was apprehended by the police; some other forged number plates were also found inside the car. It has been asserted by the



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learned counsel that the disclosure statement on the basis of which he has been arrayed as an accused is inherently of a weak nature and has negligible evidentiary value, therefore, the petitioner be directed to join investigation and subsequently be extended the concession of anticipatory bail.

3. Notice of motion.

4. On the asking of Court, Ms. Trishanjli Sharma,DAG, Haryana accepts notice on behalf of respondent-State.

Learned State counsel, at the outset, has opposed the prayer and submissions made by the counsel opposite and submitted that the petitioner is a man of criminal antecedents, which is evident from the fact that he is involved in 08 other criminal cases of identical nature, which also include two cases in which he stands convicted. Learned State counsel has also brought to the notice of this Court, on instructions, that the petitioner is a habitual offender and despite being extended the concession of bail in other cases, which were registered against him prior in time, he had yet again been committing similar offences. A prayer, therefore, has been made for dismissal of the instant petition.

5. Heard learned counsel for the parties and perused the relevant material available on record.

6. As per allegations levelled in the FIR, co-accused Yogender was apprehended with 432 bottles of liquor without any permit or license while he was travelling in a white Tata Punch on 30.04.2024. During investigation, it emerged that the vehicle bore duplicate/forged registration



plate. It was then that co-accused Yogender suffered a disclosure statement to the effect that it was the petitioner, who had been providing him the fabricated and forged number plates and those number plates were being then used by him while illegally transporting the liquor.

7. *Prima facie*, the petitioner does indeed come across as a habitual offender and the disclosure statement allegedly suffered by co-accused also hints towards the petitioner’s involvement in the crime in question. As per the State counsel, he is the mastermind behind forging of the duplicate registration plates. Given his history of being involved in various cases under Indian Penal Code and Arms Act, this Court does not deem it fit to extend the extra-ordinary concession of anticipatory bail. Accordingly, the present petition stands dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

21.05.2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No