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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29632-2024
DECIDED ON: 14.06.2024

LAKHPAT

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. Sandeep Kumar Yadav, Advocate
for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

VIKRAM AGGARWAL, J (ORAL)

1. The present petition, preferred under Section 439 of the Code of Criminal Procedure (for short ‘Cr.P.C.’), is for the grant of regular bail to the petitioner in case FIR No.15 dated 16.04.2024 registered under Sections 420, 467, 468, 471 and 120-B of IPC and Section 13 (1) of P.C. Act at Police Station ACB Gurugram, District Gurugram.
2. The allegations are that w.e.f. 01.01.2020 to 30.09.2020, the Mining Department impounded 292 trucks out of which 214 trucks were released under the orders passed by the NGT Delhi by depositing compensation. In 2024, an audit was conducted in which it was found that 42 vehicles which had been released on deposit of compensation had succeeded in showing less value of the trucks resulting in deposit of less compensation as a result of which the instant FIR was registered against Mining Officers, Clerks of the Department and vehicle owners. The petitioner was arrested on 20.04.2024 and his application for the grant of regular bail was dismissed by the Additional Sessions Judge, Narnaul vide order dated 17.05.2024

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(Annexure P-5).

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. It has been contended that the petitioner is in custody since 20.04.2024 for no fault of his. Learned counsel has submitted that the Mining Officers have been granted interim protections by this Court. Reference in this regard has been made to the orders dated 24.04.2024 and 13.05.2024 (Annexures P-2 and P-3 respectively) passed by a Co-ordinate Bench of this Court. It has also been submitted that three co-accused namely Jitender, Ramphal and Sunil Kumar have been granted regular bail by a Co-ordinate Bench of this Court vide orders dated 30.05.2024, 29.05.2024 and 31.05.2024 passed in **CRM-M-26658-2024**, **CRM-M-26181-2024** and **CRM-M-27625-2024** respectively. It has been submitted that the case of the petitioner is at par with the co-accused who have been granted regular bail by a Co-ordinate Bench. Learned counsel submits that under the circumstances, the petition deserves to be allowed.

4. On the other hand, learned counsel representing the State of Haryana has opposed the bail application. However, he has not been able to deny the fact that the case of the petitioner is at par with that of Jitender, Ramphal and Sunil Kumar who have been granted regular bail by a Co-ordinate Bench of this Court.

5. Having heard learned counsel for the parties, this Court is of the considered opinion that the present petition deserves to be allowed.

6. The petitioner is in custody since 20.04.2024. As per the custody certificate filed in the Court today, there is no other case registered against the petitioner. Still further, co-accused Jitender, Ramphal and Sunil Kumar

having granted regular bail by a Co-ordinate Bench of this Court vide orders dated 30.05.2024, 29.05.2024 and 31.05.2024 passed in **CRM-M-26658-2024, CRM-M-26181-2024** and **CRM-M-27625-2024** respectively. Concededly, the case of the petitioner is at par with the said co-accused.

In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate Gurugram.

14.06.2024

Prince Chawla

(VIKRAM AGGARWAL)
JUDGE

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