



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45182-2024
Date of Decision:11.09.2024

Ram Kumar Lamba ...Petitioner
vs.
State of Haryana ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Ankit Bishnoi, Advocate with
Mr. Satpal Sachdeva, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in case FIR No.642 dated 24.10.2020, under Sections 406,409,419,420,465,467,468,471,120-B of IPC, registered at Police Station City, Sirsa, District Sirsa, Haryana (Annexure P-1).
2. Learned counsel for the petitioner contends that the FIR in the present case pertains to certain allegations of the assessment year 2011-12. He further contends that even the FIR in the present case was registered on 24.10.2020 and now, after a period of about 04 years, the petitioner is sought to be arrested by the police without any incriminating evidence against him. Learned counsel further contends that the allegations are related to certain alleged fraudulent claims of VAT and since, there is a special statute under the provisions of Haryana Value Added Tax Act, 2003 to govern the case, the

present FIR under various provisions of IPC is not maintainable. He further contends that the petitioner has already been granted the concession of interim anticipatory bail in similar matters vide Annexures P-5 and P-6. Learned counsel further contends that the case is based on documentary evidence and the custody of the petitioner is not required in the present case. Apart from that, the petitioner is a senior citizen and is suffering from paralysis and is unable to perform his regular activities, without any assistance. He has also refers to medical records (Annexures P-2 and P-3) to buttress his argument in this regard.

3. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that four more FIRs of similar nature have already been registered against the petitioner and the petitioner does not deserve the concession of anticipatory bail.

4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. Even though four more FIRs have been ordered to be registered against the petitioner, however, in two cases, it is apparent from Annexures P-5 and P-6, that the petitioner has already been granted the concession of interim anticipatory bail; in one case, he has been granted the concession of regular bail and in another case, he has been discharged by the police. Moreover, in the present case, the FIR was registered about 04 years ago and the documents related to the case have already been taken into possession by the police.

6. Without commenting further on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail,

subject to the conditions as provided under Sections 482 (2) of the B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of the B.N.S.S.

11.09.2024
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(N.S.SHEKHAWAT)
JUDGE

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