

2024:PHHC:132165



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

335

CRM M-48349 of 2024

Date of Decision: 03.10.2024

Ramkishan Keshwaniya @ Ram Kishan Keshwania ...Petitioner
Versus
State of Haryana ... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Balwinder Singh, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of BNSS with a prayer to grant a regular bail in case FIR No.643 dated 24.10.2020 registered under Sections 406, 419, 420, 465, 467, 468, 471 and 120-B IPC at Police Station Sirsa City, Haryana.

2. Learned counsel for the petitioner contends that the allegations in the present case pertain to the assessment year 2011-2012 and the FIR has been registered after a delay of almost 08 years. Still further, the FIR in the present case was registered on 24.10.2020 and the police had arrested the petitioner on 22.07.2024

without any evidence. The petitioner is aged about 68 years and he had retired as Deputy Excise and Taxation Commissioner many years ago. During his career, there was no complaint from any corner and now after several years of his retirement, he has been made a scapegoat. Learned counsel further contends that even the case was based on documentary evidence, which has also been recovered by the police in the instant case. Apart from that, similarly placed co-accused Gopi Chand Chaudhary, who was also posted as DETC Sirsa, has been granted the concession of bail by this Court vide order dated 21.02.2024 (Annexure P-3). Even, the other co-accused, namely, Padam Bansal, has also been granted the concession of regular bail vide order dated 07.05.2024 (Annexure P-4). The petitioner is behind the bars since 22.07.2024 and the final report under Section 173 Cr.P.C. has already been presented against him. Even the 07 cases were ordered to be registered against him and the petitioner is on bail in 05 cases.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

4. In the present case, the similarly placed co-accused Gopi Chand Chaudhary, Padam Bansal, Amit Bansal, Azad Singh and

Ramniwas Goyal have been granted the concession of bail by this Court vide annexures P-3 to P-7, respectively. The petitioner is in custody since 22.07.2024 and no useful purpose will be served by keeping the petitioner behind the bars.

5. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

03.10.2024
amit rana

(N.S.SHEKHAWAT)
JUDGE

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