

S. No.207

2024:PHHC:040385

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63411 of 2023

Date of Decision:20.03.2024

Raj Kumar Bedi

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Bhupender Singh, Advocate for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

DEEPAK GUPTA, J.

By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.147 dated 13.03.2022 registered under Sections 120-B, 406, 420, 467, 468, 471, 474 IPC at Police Station Karnal Civil Lines, District Karnal.

As per prosecution case, complainant Abhishek Hans, running his business in the name and style of “**Kaka Motors**”, deals in sale and purchase of old cars. Acting on the representation made by representative of Cars24 Company, he purchased one Hundai Elite I-20-Asta 1.2(O) Car bearing registration No.HR26-EF-6195 of Model 2018 for price of ₹6,50,220/-. Later on, he sold the said vehicle to a customer in September, 2020 and applied for transfer of the car before Registration Authority, Gurugram. However, it was informed to the complainant that the said vehicle was blacklisted and could not be transferred. On making inquiries from Cars24 Company, no satisfactory reply was given. Complainant collected information through RTI and came to know that vehicle was having a loan of ₹5,32,290/- from ICICI Bank and the said loan falls under the non-performing assets case. It was revealed further that the Cars24 Company

had not shown the said loan towards the vehicle. On perusal of the documents, it is also found that the vehicle was earlier owned by Veeru son of Chotte Lal, who in conspiracy with other accused including the petitioner, had forged and fabricated the documents.

FIR was registered on the complaint of Abhishek Hans. It was found during investigation that in fact registered owner of the car was one Karamvir who had purchased it by taking loan of ₹5,32,290/- from ICICI Bank. The vehicle was declared NPA due to which it could not be sold. It was further alleged that Veeru son of Chotte Lal in collusion with petitioner, tout Ajay Dalal of Office of SDO (Civil) Gurugram, Hemant Sharma, Junior Programmer of the Office of SDO (Civil) Gurugram hatched a conspiracy and committed forgery in the official record of SDO (Civil), Gurugram by altering the original record of the vehicle and then on the basis of No Objection Certificate, issued by the SDO (Civil), Gurugram, on the basis of fake documents, the vehicle was sold to the complainant.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that no amount was received by him; that he is ready to join the investigation and so he be allowed anticipatory bail.

Strongly opposing the bail petition, learned State Counsel submits that though initially the sale proceeds of ₹6,19,220/- were received by co-accused Veeru son of Chotte Lal but later on, an amount of ₹6 lakhs was transferred in the account of the petitioner. Learned State Counsel further submits that the petitioner was colluding with the co-accused in forging the fabricated documents, on the basis of which, NOC was procured from the SDO (Civil), Office. Learned State Counsel also submits that custodial interrogation of the petitioner may be

required in order to unearth the entire truth as he is the master mind behind the entire offence.

After hearing submissions of both the sides, particularly submissions made by learned State Counsel and considering the nature of offence, but without commenting anything on the merits of the case, this Court is not inclined to grant the benefit of anticipatory bail to the petitioner as his custodial interrogation appears to be necessary to unearth the entire truth.

Dismissed.

March 20, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No