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

CRM-M-14289-2025

Date of Decision: 21.05.2025

Pawan Kumar

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Jagdeep Singh Rana, Advocate with
Mr. Lokendra Singh, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana
assisted by Anoop Kumar, DSP-II, HPS, Bhiwani.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.292 dated 04.09.2023 registered under Sections 406, 409, 420, 467, 468, 471, 120-B of IPC and Section 13(1)(A) read with Section 13(2) of Prevention of Corruption Act, at Police Station Civil Lines, Bhiwani, District Bhiwani.

2. Learned counsel for the petitioner contends that the petitioner has been named in the present FIR only with an intention to save the higher officials of the Revenue Department. He next contends that the allegations were mainly levelled against Pawan Kumar, Patwari, who had committed the offence. In fact, the petitioner neither worked in the office of PWD (Building & Road), Bhiwani nor had any powers to disburse any such amount to anyone. Even, the investigation in the present case is conducted in such a manner that all the higher officers of Revenue Department are protected and no action is taken against anyone of them. He further contends that even till today, the

police has made their best possible efforts to delay the investigation and some petty officials have been arrested. Even the case was registered on 04.09.2023 and the documents were sent to the FSL in December, 2024, which clearly shows that every attempts have been made to shield the higher officials and the petitioner has made a scapegoat. The petitioner was arrested in the present case on 15.11.2024 and the challan has already been presented against him.

3. On the other hand, reply has been filed by the learned State counsel and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that in the present case, 24 fake bills of Rs.2,50,68,880/- approximately, were passed and the total 39 fake beneficiaries have withdrawn the amount from their accounts. He further submits that only one beneficiary and one Treasury clerk, out of 39 beneficiaries, have been arrested so far.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, the petitioner was arrested on 15.11.2024 and is in custody for the last 06 months. Even the challan has been presented against him and no witness has been examined so far. Thus, there is no likelihood to conclude the trial in near future.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

21.05.2025

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