

2025:PHHC:071789



218.

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

CRM-M-25590-2025

Date of decision: 26.05.2025

Naveen Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Lakhwinder Singh Mann, Advocate, for the petitioner.

Mr. Amit Rana, Senior DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in this petition filed under Section 482 BNSS is for grant of anticipatory bail to the petitioner in case FIR No.11, dated 07.04.2025, under Section 13(1)(a) read with Sections 13(2), 7A of Prevention of Corruption Act, 1988 as amended by 2018, and Sections 318(4), 336(2), 338, 336(4), 340(2), 61 of BNS, 2023, registered at Police Station Vigilance Bureau, Bathinda, District Bathinda.

2. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the instant case based on a purported secret information. As per the allegations, the petitioner is alleged to have cheated the public at large by procuring No Objection Certificates (NOCs) for vehicles sourced from a junkyard, which were allegedly obsolete and unfit for road use. It is alleged that, thereafter in connivance with the officials of the Regional Transport Office (RTO), the

petitioner facilitated the issuance of fake registration numbers and forged documentation to make the said vehicles appear roadworthy.

3. While drawing the attention of this Court to Annexure P-3, learned counsel submitted that all vehicles in question were passed after due compliance with the statutory procedures and have valid registration documents until 15.07.2029, 27.11.2028, 24.07.2029, 19.06.2029, and 25.07.2029, respectively.

4. Further, learned counsel has also drawn the attention of this Court to Annexure P-1 and highlighted that although the FIR itself mentions complicity of certain officials of the RTO, none have been arrayed as accused till date. This, he submits, casts serious doubt over the bona fides of the investigation and suggests selective prosecution.

5. Learned counsel has also placed reliance on Annexure P-4 to demonstrate that the petitioner duly complied with all procedural requirements for the issuance of registration numbers in Punjab.

6. With respect to the allegations that the petitioner misused the address of one Rajesh Tuteja without consent, learned counsel has submitted that such claims are rooted in personal vendetta. It has been submitted that the petitioner and Rajesh Tuteja previously shared a professional relationship, which eventually turned sour, thereby motivating the latter to make false claims against the petitioner.

7. In compliance of order dated 12.05.2025, learned State counsel has filed short reply by way of affidavit dated 19.05.2025 of Kulwant Singh, PPS, Deputy Superintendent of Police, Vigilance Bureau, Range

Bathinda, on behalf of respondent-State, in Court today, which is taken on record subject to all just exceptions. Learned State counsel, *per contra*, has vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted that the petitioner has been specifically named in the FIR and there are serious allegations against him of orchestrating a racket involving the sale and purchase of obsolete and discarded vehicles.

8. It has been submitted, on further instructions, as well as by drawing the attention of this Court to the affidavit which has been filed today by the learned State counsel, that the petitioner had procured vehicles from a junkyard, obtained NOCs from Gujarat through fraudulent means, and thereafter, forged registration documents to secure registration numbers from RTO, Bhatinda. Learned State counsel has also drawn the attention of this Court to the other averments made in the affidavit and emphasized that the petitioner had played a central role in the alleged crime.

9. It has still further been submitted that the petitioner, in connivance with one co-accused, Inderjeet Singh, masterminded the entire operation. The custodial interrogation of the petitioner, it was argued, is imperative to uncover the modus operandi adopted in the procurement, registration, and circulation of such vehicles as well as to identify potential complicity of public officials.

10. I have heard learned counsel for the parties and perused the material placed on record.

11. The allegations against the petitioner are grave, specific and prima facie supported by material on record.

12. There appears to be a well orchestrated plan involving the acquisition of discarded vehicles, their subsequent validation through forged documentation, and registration with fraudulent identities. Such acts not only constitute serious offences under penal law but also pose a significant threat to public safety by enabling the operation of mechanically unsound vehicles on public roads.

13. The role of the petitioner, as discernible from the preliminary investigation and allegations, is not peripheral or incidental. On the contrary, he prima facie appears to be the principal architect of the alleged criminal conspiracy. The connivance with the officials of RTO, whether through inducement or deception, necessitates a thorough custodial interrogation to trace the depth of the involvement of other public servants and prevent destruction of evidence.

14. Mere possession of valid documents, as claimed by the petitioner, does not *ipso facto*, absolve him of liability, particularly when the genesis of such documents is itself under a cloud of suspicion.

15. In view of the seriousness of the allegations, the need for custodial interrogation, and the apparent pivotal role played by the petitioner in the alleged conspiracy, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

16. Present petition stands dismissed accordingly.

17. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 26, 2025
sanjeev

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