



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-31242-2024 (O&M)
Date of Decision:- 11.02.2025

ANKIT KUMAR

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Anil Mehta, Advocate for the petitioner.

Mr. Vipul Sherwal, AAG Haryana.

SANJIV BERRY, J. (ORAL)

1. Sh. Rajiv Mighlani, Deputy Superintendent of Police, Yamuna Nagar is present in Court along with SI Kushal Pal and complete record.
2. Arguments heard.
3. By way of present petition filed under Section 438 CrPC, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
401	19.05.2023	406, 409, 420, 467, 468, 471, 477-A and 120-B IPC	City Yamunanagar, District Yamunanagar

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He contends that the petitioner is not named in the FIR and has no concern whatsoever with the alleged transaction. He further contends that the petitioner is neither the beneficiary nor any amount has been received by



him. He submits that the petitioner only worked as an Electrician in the firm namely M/s S.B. Road Line, and was given the field work. He contends that the petitioner was not instrumental in any manner in preparation and submissions of the bills to the Department and false allegations were even levelled against the petitioner in this regard. He further submits that the petitioner is ready to join investigation, hence, prayed for grant of anticipatory bail to the petitioner.

5. *Per contra*, learned State counsel, while referring to the status report submitted by State has opposed the petition on the ground that the petitioner along with co-accused Sanjeev Kumar used to prepare forged bills in connivance with co-accused Parminder Singh, who is owner of the firm M/s S.B. Road Line. He submits that the petitioner used to put wrong SMB, work order and estimate numbers on the forged bills. He further submits that the petitioner was also working as Munshi of co-accused Parminder Singh and used to send fake documents in the offices of Electricity Department. He further submits that the name and role of the petitioner has specifically surfaced in the disclosure statement of co-accused Kulwant Singh in being instrumental in preparing more than five thousand fake bills, on the basis whereof, in connivance with other co-accused, an amount of ₹11 crores (approximately) had been usurped by the accused. He, thus submits that the custodial interrogation of the petitioner is required to unearth the *modus operandi*, adopted by the accused in getting the fake and fabricated bills encashed from the Department and thereby causing loss to the exchequer of the State. Hence, prayed for dismissal of the bail petition.



6. As per the case of prosecution, Pawan Narula, Executive Engineer (OP) Division UHBVN, Yamuna Nagar submitted a complaint to the police station that M/s S.B. Roadline, who is the authorized contractor of the UHBVN has submitted forged bills in the office of (OP) Division, UHBVN, Yamuna Nagar and in connivance with some officials of the Nigam, has encashed an amount of Rs.2,01,28,255/- (approximately). On the basis of the said complaint, the FIR was registered. During the course of investigation, on 04.07.2023, co-accused Kulwant Singh and Rajbir were arrested, who during their interrogation suffered disclosure statements specifically naming the petitioner and co-accused Parminder Singh, in preparing all the fake and forged bills. The disclosure statement of co-accused Kulwant Singh has been annexed with the status report filed by the State as Annexure R-1, wherein it has been specifically stated by him that the petitioner used to prepare fake bills and work order of the firm without any work. Furthermore, it has been specifically stated in the status report that the petitioner in connivance with co-accused has caused loss to the Government exchequer to the tune of Rs.11,66,31,934/-.

7. After considering the arguments and perusing the record, it reveals that no doubt the petitioner had been working as an Electrician with S.B. Road Line, owned by co-accused Parminder Singh, but during the investigation, there had been specific attribution to the petitioner of being instrumental in preparing fake and fabricated bills and in the process, submitted more than five thousand fake bills to the Department worth more than ₹11 crores (approximately) and usurped the amount illegally, therefore



considering all these facts and circumstances, the custodial interrogation of the petitioner is required to unearth the *modus operandi* adopted for preparing such huge quantity of fake bills and getting it approved from various officials, thereby, causing loss to the State exchequer of more than ₹11 crores (approximately).

8. In view of the above, considering the serious nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

11.02.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No