



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-37184-2023 (O&M)
Date of Decision:- 11.02.2025

PARMINDER SINGH

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Bishan Kinger, Advocate for the petitioner.

Mr. Vipul Sherwal, AAG Haryana.

Mr. Puneet Jindal, Sr. Advocate with
Ms. Malvi Aggarwal, Advocate for the complainant.

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, 466, 467, 468, 471, 477-A and 120-B IPC	City Yamunanagar, District Yamunanagar

4. It is *inter alia* contended by learned Senior counsel for the



petitioner that the petitioner is innocent and has been falsely implicated in the case. He submits that the petitioner is the proprietor of the firm namely M/s S.B. Road Line, which is the authorized contractor of the UHBVN for carrying out electricity works under the division. He contends that as per the allegations levelled in the FIR, the petitioner has allegedly submitted forged and fake bills and encashed an amount of Rs. 2,01,28,255/- from UHBVN. He contends that the bills were passed after due verification and complying with the prescribed procedure and even otherwise, the petitioner has already paid/adjusted the abovesaid amount with the UHBVN. He further contends that the petitioner has neither forged any bills nor any undue amount has been credited to his account. He submits that in terms of the order dated 03.10.2023, the petitioner has already deposited the disputed amount of 2,01,28,255/- with the complainant-Department. He submits that the present case is based upon documentary evidence, hence, prayed for grant of anticipatory bail to the petitioner.

5. *Per contra*, learned State counsel as well as learned Senior counsel for the complainant, while referring to the replies submitted by State have opposed the petition on the ground that the petitioner is the mastermind behind the offence. They submit that the petitioner, hand in glove with the officials of UHBVN, has illegally drawn crores of rupees by presenting forged and fabricated bills. They further submit that the co-accused Kulwant Singh and Rajbir, have specifically named the petitioner in their disclosure statements and have also disclosed about his active role in the commission of the offence. They contend that although originally the amount mentioned



in the FIR was around ₹2 crores, but later on it has been found in audit that the amount involved in the instant case is ₹11,04,53,066/-, which has been embezzled by the accused by submitting more than five thousand fake bills and the petitioner happens to be beneficiary of the transaction. Hence, they pray that the custodial interrogation of the petitioner is required and 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 his servant Ankit, behind preparing all the fake and forged bills.

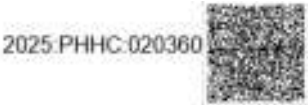
7. It is the contention raised by learned Senior counsel for the petitioner that even though the petitioner has not forged any bills, however, he has deposited an amount of ₹1,51,96,211/- and the amount of more than ₹49,00,000/- due towards the petitioner was adjusted by the Department. However, as per the final audit report, it is found that the petitioner by supplying more than five thousand fake and fabricated bills has usurped an amount of ₹11,04,53,066 and even if the payment of ₹49,00,000/- and



₹1,51,96,211/- deposited/adjusted by the petitioner is considered, an amount of ₹9 crores (approximately) is still to be recovered from the petitioner. Moreover, the *modus operandi* adopted by the petitioner in getting the payments of the fake and fabricated bills in large quantity is to be ascertained for which his custodial interrogation is required.

8. After considering the submissions, it is observed that there are allegations against the petitioner, being the contractor for execution of the work allotted to him, that he had submitted more than five thousand fake and fabricated bills to the complainant-Department and usurped an amount of ₹11 crores (approximately). Although initially, the FIR was registered for embezzlement of ₹2 crores, however, during the course of investigation, on receipt of audit report, it has been found that total embezzlement ranges to more than ₹11 crores. There are specific allegations against the petitioner that he is the mastermind in submitting more than five thousand fake and fabricated bills to the Department and on that basis usurped an amount of ₹11 crores. The petitioner has committed the crime in connivance with other co-accused. An amount of more than ₹9 crores, illegally usurped by the petitioner, is yet to be recovered from him and the *modus operandi* adopted by him in getting all the fake and fabricated bills encashed without executing the work, is to be established for which his custodial interrogation is required.

9. Therefore, 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. The



interim relief granted to the petitioner vide order dated 03.10.2023 stands vacated.

10. 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