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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(213)**

**CRM-M-58097-2025 (O & M)
Date of decision: 11.11.2025**

Virender

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Chanderhas Yadav, Advocate, for the petitioner.

Mr. Sushil Bhardwaj, Addl.A.G., Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 of BNSS, 2023 is for the grant of anticipatory bail to the petitioner in case FIR No.263 dated 13.09.2025 under Sections 256, 318(4), 336(2), 336(3), 338, 340, 61, 238, 241 of BNS, 2023 and Section 7 of the Prevention of Corruption Act, 1988, registered at Police Station Central Faridabad, District Faridabad.

2. The present FIR came to be registered on the basis of a complaint of Saurabh Gusain, Principal Judge, Family Court-cum-Nodal Officer (Computerization Branch), Faridabad and reads as under:-

One letter No. 2005 dated 06.06.2025 received from Hon'ble Court Saurabh Gusain Principal Judge, Family court cum Nodal Officer (Computerization Branch), Faridabad, the same are like that "From Saurabh Gusain, Principal Judge, Family court cum Nodal Officer (Computerization Branch), Faridabad District

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and Sessions Judge, Faridabad Ref Confidential letter no, 21792 dated 21.05.2025 Sub: Discreet Inquiry conducted in anomalies found in Postal Traffic Challan Branch of Sessions Division, Faridabad Respected Sir, With reverence to the subject cited above, I take the honour to submit that it was reported to your good self by the undersigned earlier in confidential letter dated 1637 dated 19.05.2025, that during random visitation and checking of the Postal Traffic Challan branch of the judicial court complex, Faridabad, it was discovered that one police official namely Vipin, who was deployed in said branch for the purpose of registration of postal traffic challans, was having complete access of the CIS systems of different judicial courts of magistrate level on his computer system, without any authority and he was unable to give any satisfactory reply for the same. It was apprehended that some unfair practices were being adopted in dealing with traffic challans in said branch. In furtherance of the report, vide letter under reference, your good self had assigned a discreet inquiry to the undersigned for looking into the matter, with the power to access judicial records. Same was carried out by undersigned and the observations and prima facie findings are as under The act and conduct of the above-mentioned police employee Vipin had given rise to an apprehension that the postal traffic challans were being tampered with, or/and they were being registered directly into the CIS system of the Magistrate courts. In view of the same, the undersigned scrutinized the consigned postal traffic challans at random and found that some of the consigned traffic challans dealing with heavy motor vehicles were chalianed for negligible or lesser degree offences. When said traffic challans were compared with the original challans from different internet websites, it surfaced that the particulars of offences mentioned in the originally issued challans, were



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not matching with the particulars of offences mentioned in the challans being taken up by judicial court. As such, it transpired that there was citing in the particulars of offences mentioned in said traffic challans To illustrate, a traffic challan bearing registration number TRF/26509/2025 was decided from the court of Ms Sarita Solanki Id JMIC. Faridabad, vide order dated 20.02.2025. A perusal of the consigned traffic challan shows that the offender namely Rishi Pal s/o Girdhari Lal owner of Goods Carrier (IGV) bearing vehicle no. HK38U2479 was charged with offence of "Wrong side driving". Accordingly Id court had imposed a fine of Rs 500/- upon him. However, when the same traffic challan was checked from internet website/App of "Vehicleinfo", it discovered that in fact said offender was charged with the offence of fio entry /115 of Motor Vehicles Act, punishable with a fine of 20,000/-and not for the offence of Wrong Side Driving Taking this Icad, on further checking I came across numerous such consigned traffic challans of every kind of vehicle, in which the particulars of the offences as decided by courts, were not matching with the particulars of offences of original challan issued by Traffic Police Haryana and were of a far lesser degree. It is pertinent to mention here that on the random inspection of Postal Traffic Challan branch of the judicial court complex, Faridabad mentioned by me in the confidential letter dated 19.05.2025, it had come to my notice that the concerned police employee was making manual entries of traffic challans. He was asked to explain the same but again he had failed to give a satisfactory reply. It is also pertinent to observe that only the two police employees namely Ct. Vipin and Ct. Deepak, working in the Postal Traffic Challan branch of the judicial court complex, Faridabad were having access to the website of ministry of traffic challan, i.e. echallan.parivahan.gov.in, in said branch



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From said inquiry, it is transpiring that the concerned police employee Sh Vipin was downloading certain traffic challans from the website of echallan.parivahan.gov.in. Thereafter he was editing the particulars of offences mentioned in the challans, thereby converting them into offences of a lesser degree. Then who used to take out their print and the tampered forged version of said documents/challans was used for the unlawful benefits of the offenders in judicial courts. In all probabilities, he was also getting the forged challans registered into the CIS system of judicial courts of this sessions division as he was having direct access of different courts CIS system in his desktop. It is submitted that similar forgery was discovered in traffic challans received directly from the Traffic Challan Branch of Faridabad, thereby indicating involvement of certain unscrupulous elements in said branch also. List of the forged traffic challans as discovered by me, is annexed for the kind perusal of your goodself. It is submitted that committed in the Sessions division of Faridabad. The matter needs to be looked into and investigated properly by higher law and order authorities with the help of Cyber crime branch. Report submitted please, SD: Saurab Gusain UID No.HR0181.

3. Based on the above complaint, the investigation was carried out by Assistant Commissioner of Police Central Faridabad regarding changing the section of the offence of Traffic Challans and making payment in the Court in 25 Traffic Challans. The witnesses were examined during investigation and other records were obtained.

During investigation it was revealed that Homeguard Shubham no. 348/1/13D was posted at the E. Challaning Branch in Sector-12,



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Faridabad, who possessed the password to take a complete printout of the traffic challan. Shubham took money from people online through phone payments and in cash by luring them with the promise of paying their challans for a lower fee and by changing the section of the offence in the traffic challan (tampering). It was found that there had been tampering in 25 traffic challans given for investigation by the Court, payments were made in the court of JMIC Faridabad. However, some challans were found to be by the E-challaning branch. These challans were said to be registered with JMIC Faridabad's Ahlmad Virender (petitioner) who received traffic challans not only in hard copy, but also online on the system. Therefore, Virender Ahlmad/petitioner was responsible for matching the challan received in hard copy and those received in the system. However, he did not do so. Co-accused Shubham was found to have caused loss to the Government Exchequer by changing the section of the offence of the traffic challans (tampering) and by paying the challans in the Court in connivance with petitioner Ahlmad Virender. Therefore, the instant FIR came to be registered.

4. During investigation it was revealed that Homeguard Shubham received amount from the owners of vehicle and out of said bribe amount, an amount of Rs. 44,000/- was paid to Virender Ahlmad/petitioner, through cash and some amount through UPI/Phone pay in his account, as per details given as under-

a) From Shubham HDFC Bank Account No. 50100341473034 in the account of Virender/petitioner through UPI on 09.09.2024 Rs. 2,000/-

b) From Shubham HDFC Bank Account No. 50100341473034 in the account of Virender/petitioner through UPI on 06.11.2024 Rs. 1,500/-.



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- c) From Shubham HDFC Bank Account No. 50100341473034 in the account of Virender/petitioner through UPI on 07.11.2024 Rs. 4,000/-.
- d) From Shubham HDFC Bank Account No. 50100341473034 in the account of Virender/petitioner through UPI on 17.01.2025 Rs. 1,000/-.
- e) From Shubham HDFC Bank Account No. 50100341473034 in the account of Virender/petitioner through UPI on 24.01.2025 Rs. 6,000/-.
- f) From Shubham HDFC Bank Account No. 50100341473034 in the account of Virender/petitioner through UPI on 11.02.2025 Rs. 1,000/-.
- g) And from Kotak Mahindra Bank account of Shubham account no. 5245852162 on 25.02.2025 Rs. 2,000/- in the account of Virender/petitioner
- h) And from Kotak Mahindra Bank account of Shubham account no. 5245852162 on 07.03.2025 Rs. 1,500/- in the account of Virender/petitioner.
- i) And from Kotak Mahindra Bank account of Shubham account no. 5245852162 on 12.03.2025 Rs. 4,000/- in the account of Virender/petitioner.
- j) And from Kotak Mahindra Bank account of Shubham account no. 5245852162 on 24.03.2025 Rs. 2,000/- in the account of Virender/petitioner.
- k) And from Kotak Mahindra Bank account of Shubham account no. 5245852162 on 26.03.2025 Rs. 2,000/- in the account of Virender/petitioner.
- l) And from Kotak Mahindra Bank account of Shubham account no. 5245852162 on 09.04.2025 Rs. 3,000/- in the account of Virender/petitioner.

5. The learned counsel for the petitioner contends that the petitioner has been falsely implicated only on the basis of presumptions as

money has been received in his account from Shubham Homeguard with



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whom he has family relations. There is no allegation that the petitioner has tampered with any challan/any other document. As he has clean antecedents and is ready and willing to join investigation, he may be granted the concession of anticipatory bail.

6. The learned State counsel, on the other hand, while referring to the reply dated 30.10.2025 contends that the petitioner is directly involved in the present case being an Ahlmad of the Court of the Judicial Magistrate Ist Class, Faridabad. The co-accused Shubham received money from the owners of the vehicles as bribe and paid as bribe an amount of Rs.44,000/- to the petitioner through cash and through UPI/Phone Pay. Furthermore, being an Ahlmad of the Court the petitioner was bound to verify the original challans with the challans submitted before the Judicial Magistrate Ist Class, Faridabad, but the petitioner did not do so. As the offences stand *prima facie* established and the investigation is to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly required. He, therefore, prays that the present petition is liable to be dismissed.

7. I have heard the learned counsel for the parties.

8. The Hon'ble Supreme Court in the case of '***Sumitha Pradeep Vs. Arun Kumar C.K. & Anr. 2022(4) RCR (Criminal) 977***', has held that merely because custodial interrogation was not required by itself could not be a ground to grant anticipatory bail. The first and the foremost thing the Court hearing the anticipatory bail application is to consider is the *prima facie* case against the accused. The relevant extract of the judgment is

reproduced hereinbelow:-



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“It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.

Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

*We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and, therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. **In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application***



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should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.”

9. A perusal of the material on record would reveal that the petitioner who is an Ahlmad in the Court of Judicial Magistrate Ist Class, Faridbad has received traffic challans not only in hard copy but also online. He is responsible for matching the challans received in hard copy with those received on the online format. However, he has not done so. Shubham/co-accused who has tampered with challans to reduce the severity of the offences and consequent reduction in the fine amount, has categorically disclosed that a sum of Rs.44,000/-has been paid to the petitioner by cash or through UPI transactions as illegal gratification so that the tampering goes undetected and the fine amount as per challans is reduced. Therefore, the offence stands *prima facie* established. Further, to take the investigation to its logical conclusion, the custodial interrogation of the petitioner is certainly required.

10. In view of the above, I find no merit in this petition and the same stands dismissed.

11. However, it is made clear that the observations made in this order are only for the purpose of deciding this bail application and the Trial



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Court is free to adjudicate upon the matter on the basis of the evidence led before it uninfluenced by any such observations made.

12. The pending application(s), if any, shall stand disposed of accordingly.

November 11, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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