



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-64028-2024
Date of decision: 03.02.2025

RAJESH KHATAK
....Petitioner

Versus

STATE OF HARYANA
....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Sanjeev Kumar, Advocate and
Mr. Shiv Kumar, Advocate for the petitioner.

Mr. Vipul Sherwal, AAG Haryana.

.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the
petitioner seeks anticipatory bail in case FIR as under: -

FIR No.	Dated	Sections	Police Station
535	07.10.2022	420, 465, 467, 468, 471, 120-B IPC	City Fatehabad

2. Learned counsel for the petitioner submits that in compliance to the order dated 17.01.2025 and 24.01.2025, the petitioner has joined the investigation.
3. During the course of hearing on 17.01.2025, following order had been passed: -

“ 2. *Heard.*

3. *It is inter alia contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case only because he was working as*



Registration Clerk at the relevant time. He contends that a similar complaint was lodged in 2020 but the same was filed vide the report of concerned SHO (Annexure P-9), holding that no case is made out for commission of any cognizable offence, however, subsequently the instant FIR got registered on flimsy ground, alleging that the petitioner had issued the registration certificate of the vehicle by changing the year of make. He has submitted that the allegations of the Police against the petitioner is regarding tampering with the Form Nos.20 and 21 of the relevant vehicles, while issuing the registration certificate and has referred to Annexure P-2 to submit that the same was filled by the owner and verified by the Motor Vehicle Inspector, while Form No.21 was issued by the concerned dealer and there is no occasion for the petitioner to have altered the same. He contends that the duty of the petitioner was just to issue the registration certificate, relying upon the report of Motor Vehicle Inspector. He further contends that on the basis of letter (Annexure P-5) written by the said dealer, the registration authority had cancelled the registration of the disputed vehicles vide order Annexure P-7. There is no specific attribution against the petitioner nor is there any role of the petitioner in issuance of such registration certificate which he had issued, placing reliance upon the Motor Vehicle Inspector, as it was not part of his duty to verify the vehicles.

4. *Learned State counsel on instructions from SI Ashok, Investigating Officer of the case, has not disputed the fact that the registration certificate was issued by the petitioner on the basis of information provided in Form Nos.20 and 21.*

5. *In these circumstances, without commenting on the merits, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS.*

6. *List on 03.02.2025.*



7. *Investigating Officer of the case to remain present in Court along with the record.”*

4. Learned State counsel on instructions received from S.I. Shadi Ram, Investigating Officer of the case and Mr. Nar Singh, Deputy Superintendent, who are present in Court informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 17.01.2025 and 24.01.2025 passed by this Court, interim bail granted vide order dated 17.01.2025 and 24.01.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

03.02.2025
puneet

(SANJIV BERRY)
JUDGE

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