

2026:PHHC:086786



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32776-2026 (O&M)
DECIDED ON: 05.06.2026

ABHINAV TAKSHAK

.....PETITIONER(S)

VERSUS

STATE OF HARYANA

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Aditya Sanghi, Advocate for the petitioner(s)

Ms. Ruchi Sekhri, Addl. A.G., Haryana

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

This Petition under Section 482 BNSS-2023 (akin to Section 438 Cr.P.C.) has been filed for grant of concession of anticipatory bail to the petitioner in case arising out of FIR No. 0011 dated 10.01.2026, registered at Police Station City Narnaul, District Mahendergarh, under Sections 61/61(2), 340/340(2), 338, 336(3), 318(4) and 316(5) of the Bharatiya Nyaya Sanhita, 2023 (corresponding sections in IPC are Sections 120-B, 470/471, 467, 468, 409, 420).

2 Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that the petitioner is a Government employee with clean antecedents and is not involved in any other criminal case. It is contended that the petitioner remained posted in the concerned office only from 26.05.2020 to 19.11.2020 and was merely working as a Clerk, not being the competent authority to issue or approve NOCs. Learned counsel further submits that no allegation of bribery or preparation of forged PTT-5 Certificates, forgery of signatures or fabrication of records has been levelled against the petitioner. It is argued that the entire case rests upon departmental records and documentary evidence, no recovery is to be effected from the petitioner, and even the complete original record is admittedly not available with the investigating agency. It is further submitted that only seven files have been attributed to the petitioner, out of which four files contained PTT-5 Certificates and only three files are alleged to be deficient in that regard. The alleged loss of Rs.73,56,512/- pertains to 448 vehicles and cannot be attributed solely to the petitioner, particularly when the investigation concerns several officials who remained posted in the office during the period from 2017 to 2025. Learned counsel also submits that the petitioner has since been repatriated from the department and has no control over any official record. The petitioner is stated to be ready and willing to join the investigation and to abide by any condition that may be imposed by this Hon'ble Court.

Notice of motion.

On behalf of the State

On the asking of Court, Ms. Ruchi Sekhri, Addl. A.G., Haryana, accepts notice on behalf of respondent/State. She opposes the prayer for grant of

bail asserting that the petitioner was responsible for issuing NOC without PTT-5 certificate, therefore, he does not deserve the concession of anticipatory bail.

3. **Analysis**

Having heard learned counsel for the parties, this Court finds that the allegations against the petitioner arise out of discharge of official duties and are primarily based upon departmental records and documentary evidence. The petitioner remained posted in the concerned office only for a limited period and was admittedly working as a Clerk. There is no specific allegation that the petitioner prepared forged PTT-5 Certificates, forged signatures, fabricated records or derived any personal gain from the alleged transactions. It is further not disputed that only seven files have been attributed to the petitioner and no recovery is to be effected from him. In such circumstances, custodial interrogation of the petitioner does not appear to be necessary.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of 10 days from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of ten days, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

05.06.2026
anuradha

(SANDEEP MOUDGIL)
JUDGE

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