



CRM-M-64777-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-64777-2023
Reserved on: 14.02.2024
Pronounced on: 23.02.2024

Rajesh Kaler @ Rajesh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Harsh Goyal, Advocate
for the petitioner.

Mr. A.D.S. Sukhija, Addl. A.G., Punjab.

ANOOP CHITKARA, J.

| FIR No. | Dated | Police Station | Sections |
|---------|------------|---|---|
| 1 | 10.02.2017 | Economic Offences Wing, Vigilance Bureau, District Ludhiana | 409, 420, 467, 468, 471, 201, 120-B IPC and 13(1) (d) and 13(2) of Prevention of Corruption Act, 1988 |

1. Apprehending arrest in the FIR captioned above, the petitioner, who in the year 2015-2016 was posted as Patwari in village Singriwal and allegedly showed inflated rates to help the land owners to get higher compensation from Competent Authority for Land Acquisition, headed by Anand Sagar Sharma, who was the Kingpin, had come up before this Court seeking anticipatory bail.

2. On 09.01.2024, on the extreme resistance by the State's counsel, this Court did not grant interim bail to the petitioner but stayed his arrest, and the said interim order is continuing to date.

3. The facts of the case are being taken from the reply dated 14.02.2024 filed by the concerned Deputy Superintendent of Police, which reads as follows:

1. That it is pertinent to mention here that the FIR No. 01 dated 10.02.2017, registered Under Section 409, 420, 467, 468, 471, 120-B IPC and Section 13 (1) (d) 13 (2) of the Prevention of Corruption Act 1988, at Police Station Economic Offences Wing, Punjab, Vigilance Bureau Ludhiana was initially registered after Vigilance enquiry no. 09/2016 Jalandhar. Earlier 13 accused were



nominated in this FIR and the role played by other 15 suspects was to be investigated. Thereafter, during the course of investigation a SIT was constituted to investigate the said matter by the then Chief Director Vigilance Bureau Punjab vide its office order dated 25.05.2018. The said SIT investigated the matter and filed cancellation report before the Hon'ble Special Court of Dr. Ajit Attri, Ludhiana on 13.06.2019.

2. That the Hon'ble Special Court of Dr. Ajit Attri, Ludhiana had directed to further investigate the said FIR vide its order dated 05.04.2022. That as per the direction of this Hon'ble court the case was further investigated especially in the light of following 13 points.

a) Whether any permission was sought from the Municipal Committee, Hoshiarpur/administration prior to publication of notification no.3-A for the development of the colonies or not and what is the exact time of the development of colony if any?

b) Whether the proper procedure for the change in the nature of the land has been followed before issuance of the variation certificates and when the change in the nature of land was applied in each such case and when the necessary procedure was followed in each case of change of the nature of the land? Whether owner of the land moved any written application before the SDM with regard to change in nature of the land or not and whether these application were entered in the diary by assigning the numbers? Apart from this, whether the nature of the land could be changed after publication of the notification 3-A, 3-D, 3G or not and if it was possible, then what procedure was to be adopted for this purpose? In how many cases the nature of the land is changed after the notification 3A, 3-D and 3G?

c) Whether the land in question has been sold or purchased after publication of notification no.3-A and subsequent notifications in pursuance to some conspiracy by the accused? The number of the sale deeds executed and registered immediately before and after the issuance of the notification/s, the market rate of the area prior to those sale deeds and the market rate of the area after the issuance of the notifications?



d) In how many cases the applications for the change in the nature of the land were received, in how many cases such application were allowed and in how many cases the applications were not allowed? The entire process followed for the change of the nature of the land?

e) To what extent the amount of compensation was increased on change of nature of the land on sale/purchase of land in question after the publication of notification no.3-A?

f) On what basis, the amount of compensation was calculated?

g) To how many persons the compensation was disbursed and at what rate, who purchased land after the publication of notification 3-A?

h) What were the guidelines of the M.O.R.T.H regarding the aspect of sale/purchase of the land during the process of acquisition?

i) What were the responsibilities of the CALA regarding the issue of sale/purchase of the land and whether CALA carried out his responsibilities as outlined in the M.O.R.T.H guidelines?

j) Whether the proper procedure was followed by CALA in determination of the compensation to be paid to the land owners?

k) Whether the change of the nature of land in question influenced the rates of compensation, if yes, then how much loss was caused by this to the State?

l) Whether the CALA determined the rates of compensation bases on nature of the land and market value as on the date of notification issued under section 3-A of the N.H. Act 1956 or not?

m) Whether the criteria followed for deciding the market value of the lands was based on the parameters provided by the law?

3. That, in order to comply with the directions of the Hon'ble court under order dated 05.04.2022, a Special Investigation Team (SIT) was constituted. Thereafter, during the course of further investigation by the said SIT, new facts have been discovered regarding the gravity of offence committed by the accused in the said matter. After perusal of the case documents by the SIT, it has come to notice that Draft 3A schedule was prepared by the survey



company Louis Berger group and same was sent to office of XEN PWD Hoshiarpur (Project Director). Thereafter the same draft 3A Schedule was further sent to the office of co-accused Anand Sagar Sharma who was the then SDM-cum-CALA Hoshiarpur by XEN PWD Hoshiarpur vide office letter no. 903 dated 19-01- 2015 for verification of khasras. It is pertinent to mention here that the accused Anand Sagar Sharma the then SDM-cum-CALA Hoshiarpur intentionally and with malafide kept the said Draft 3A schedule pending in his office for about four months and fraudulently changed the khasra numbers of five villages namely Khwaspur/Piplanwala, DaganaKalan, DaganaKhurd, Hardokhanpur and Bassijana in the 3A schedule. By doing this he illegally created a new road alignment falling in the above mentioned five villages. That, in order to prove this illegal road alignment, the present SIT compared both the draft 3A schedule prepared by Louis burger company and 3A schedule prepared by the accused and then SDM cum CALA Anand Sagar Sharma along with mentioned khasra numbers in both and map showing the road alignments through concerned Revenue officials. (Copy of the comparison report and map attached herewith as annexure-1).

4. That after the creation of new road alignment in the above mentioned five villages the accused Anand Sagar Sharma the then SDM-cum-CALA Hoshiarpur involved his near and close persons namely Harpinder Singh etc. That accused Harpinder Singh started purchasing the agricultural land in villages Khawaspur and Hardokhanpur in is own name and in the name of his family members/relatives/close associates. Thereafter, in connivance and conspiracy with accused Anand Sagar Sharma, the accused Harpinder Singh and other accused mentioned in this FIR received compensation on colony/residential rates, which is totally unfair and illegal in the eyes of law. It is worth while to mention here that the present SIT while during the course of investigation obtained reports from the concerned departments to verify and investigate the facts as following:

(i) The SIT obtained report dated 04/10/2023 from the office of District town planner Hoshiarpur and as per this report/record no



CLU/Lay out/Site plan/NOC were issued by the then office. In fact there is no communication between any the accused who filed application under 3C and the Office of District town Planner with regard to same. It is crystal clear from the report of DTP dated 04/10/2023 that there is no basic facility like street lights/drainage system/water supply etc. available even as on date as per the record. (Copy of the report dated 04/10/2023 is attached as annexure- 2).

(ii) That during the course of investigation the report from PSPCL was also obtained. While in the said report dated 10/10/2023 it is specifically mentioned that none of accused who filed application under 3C has applied for issuance/installation of the electricity meter nor same been the department as per office record. (The copy of said PSPCL report dated 10/10/2023 attached as annexure-3)

(iii) That the current/latest report from the revenue department was also obtained the SIT during the course of investigation and as per the said report dated 21/09/2023 there colony/residential area in the said land described by the accused while filing application under 3C. Even the said area is surrounded by agricultural crops as well. (The copy of revenue report dated 21/09/2023 is attached annexure-4).

5. That as per the law laid down in the National Highway Act 1956 under section 3D(2);-

"On the publication of the declaration under sub-section (1), the land shall vest absolutely in the Central Government free from all encumbrances." But the accused and the then SDM cum CALA Anand Sagar Sharma, in connivance and conspiracy with other accused and by abusing process law kept transferring the ownership titles in the changed khasra numbers in 3A schedule by him even after notification under 3D/3G, even when the names of actual owners of the land were already published the notification under 3D/3G, in order to give compensation to other accused and conspirators in this matter. It is also pertinent to mention here that during the course investigation actual owners of the land came forward and got recorded their statements that the accused



CRM-M-64777-2023

have cheated and defrauded them and their compensation amount has been grabbed by them, in connivance and conspiracy with each other.

6. Detail of sequentially published notifications regarding the acquisition of land under National 70 (Now NH-3)(Jalandhar-Chintpurani) as following:

| <i>Sr. No.</i> | <i>Notifications</i> | <i>Date of publication in newspaper</i> |
|----------------|----------------------|---|
| <i>1.</i> | <i>3A</i> | <i>14.07.2015</i> |
| <i>2.</i> | <i>3D</i> | <i>10.11.2015&11.11.2015</i> |
| <i>3.</i> | <i>3G</i> | <i>01.12.2015</i> |

7. Specific role of the accused/petitioner Rajesh Kaler is described as following:

That the accused/petitioner Rajesh Kaler, in connivance and conspiracy with other accused Anand Sagar Sharma (the then SDM-cum-CALA Hoshiarpur) and other accused determined the land value of accused Avtar Singh Johal at commercial rates while the collector rate/value was available. Accordingly, the accused Avtar Singh Johal who had moved a claim application under notification 3G against his acquired land, could succeed to grab the compensation amount in excess due to the illegal act of accused/petitioner. (The copy of claim application annexure-5) That from the facts mentioned here it is crystal clear that the accused/petitioner instead of discharging his duties within the frame of law worked on the instructions of other accused Anand Sagar Sharma the then SDM-cum-CALA Hoshiarpur in order to have wrongful gain and cause wrongful loss to others. That the accused/petitioner with mala fide intention and mensrea and in connivance and conspiracy with other accused as mentioned above, determined the land value at commercial rate instead of it's actual collector rate which was available at the time of assessment of the same and caused huge loss to the state exchequer. The said recommendations by Tehsildar Baljinder Singh and concerned competent authority under Land Acquisition Act



CRM-M-64777-2023

(NH Act 1956) Cum-S.D.M. Hoshiarpur and final award in excess was distributed (as attached in A-5,A-6,A-7,A-8,A- 9,A-10,A-11).

8. That it is pertinent to mention here that the present SIT, in addition to the said FIR added section 201 IPC, nominated 42 other accused and mean while declared one accused as innocent vide DDR no. 06 dated 17.11.2023 and accused/applicant is among these 42 accused. It is also worthwhile to mention here that the name of accused/applicant was mentioned as suspect initially in the present FIR.

It is respectfully prayed that keeping in view above mentioned facts and circumstances the present petition filed by the petitioner, seeking grant of anticipatory bail may kindly be dismissed, in the interest of justice.”

4. I have heard counsel for the parties and gone through the pleadings and its analysis would lead to the following outcome.

5. Counsel for the petitioner argued that the petitioner -Rajesh Kaler @ Rajesh Kumar, was posted as a Patwari in village Singariwal and no other village; as such, he cannot be burdened with the inflated valuations carried out in other villages. The State counsel does not dispute this argument. As such, this Court shall read the evidence only about alleged inflated market rates for land acquisition, in which the petitioner had given reports about valuation relating to village Singariwal and none else.

6. The State's counsel submitted that the petitioner determined the land value at rates which were much higher even than the prevalent market rates for the commercial properties, for compensation, whereas he was bound to follow the collectorate rates. The state has annexed Annexure-A-8 at Page No.20 of Affidavit filed today in court, which shows that Compensation is awarded/recommended by the CALA and Tehsildar after considering the Market Prices as per Section-26, 27, 28, 29, 30 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 which comes around Rs.600000/- Per Marla for Showroom. The petitioner's counsel submits that there is no signatures of petitioner on the report or there is no recommendation of petitioner to consider Market Rate for grant of compensation. He further submitted that Section-26 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and Section-3G (7) (a) empowered the Competent Authority and Arbitrator to grant compensation on the basis of Market Rates and the CALA has passed award accordingly, which was even approved by M.O.R.T.H. He further argued that the issue in question regarding

CRM-M-64777-2023

assessment of Market Rate is of Civil Nature and that is challenge able and the concerned authority has already availed their remedy before the Arbitrator Cum Commissioner, Jalandhar, and referred to the copy of one order dated 03-09-2019.

7. The petitioner's counsel's next submission is that some of the beneficiaries have approached this Hon'ble Court for disbursement of compensation as per Award passed by CALA in question dated 27-04-2016 by way of filing CWP-27621/2023 titled as Mandeep Sharma and others Vs Union of India and CWP-1262-2024 titled as Nand Kishore Sharma vs Union of India, wherein this Hon'ble Court vide order dated 10-1-2024 and 20-1-2024, directed the Authority/Respondent no.3 therein to bring demand draft for the amount of compensation payable as per the Award dated 27-04-2016.

8. The petitioner's next argument is that it is undisputed that one Tata Motors Showroom had been built in village Singariwal, and as such, the land adjacent to such Tata Motors Showroom would also fall in the commercial category.

9. The State's counsel has argued that the collector rate at the commercial/shop plot was Rs.3 lakhs per marla and as such, the rate per acre would be Rs.4 crore 80 lakhs, whereas the petitioner allegedly showed the rate as Rs.5 lakhs per marla which would take the total rate per acre to Rs.8 crore. In the reply dated 14.02.2024, the report prepared by the petitioner has been annexed as Annexure A-7. The English translation of the said order is annexed on page 19, which reads as follows:

"As per your order the applicant has a showroom at Khasra No. 25-12/3-13 whose collector rate is Rs. 3,00,000/- and market rate is Rs. 5,00,000/- per marla."

10. The petitioner's case is that even if every word of this report is accepted, even then, the petitioner did not commit any offence. The petitioner's counsel submits that the petitioner has mentioned the collector rate of the showroom as Rs.3 lakhs per marla and the market rate as Rs. 5 lakhs per marla. He further submits that when CALA Anand Sagar Sharma passed the award, he had assessed the market value as Rs.6 lakhs per marla, which would show that he did not rely upon the report given by the petitioner, Patwari.

11. State counsel opposes this on the ground that it was part of a strategy to inflate the rate brick by brick, and as such, Patwari was instrumental, and he knowingly mentioned the market rate as Rs. Five lakhs per marla because there was no reason for him to point out the market rate Rs. Five lakhs per marla without any supportive documents.

12. An analysis of the above points out that the petitioner assessed the market rate at Rs. Five lacs per marla, but he has no occasion to assess that market rate of Rs. Five



CRM-M-64777-2023

lakhs without any supportive documents, which shows that he was in connivance with said Anand Sagar Sharma, the then SDM who intentionally raised it further and assessed the compensation as Rs.6 lakhs per marla. Further, the report given by the petitioner did not give corroborative reference to any sale deed or other valuation to conclude that the market rate had increased from the collector rate of Rs.3 lakhs to Rs. 5 lakhs after the notification or the breaking of the news of such an acquisition.

13. Roads are the arteries through which the economy pulses, and National Highways are considered the backbone of our road infrastructure. The Governments allocate and spend massive chunks of tax payer's money for the development of National Highways to provide general assistance to the public- to make cities more accessible to the masses for their economic, medical, educational, and social needs, aiming to provide better opportunities to people to further their development; thereby, targeting at the overall growth of the country. The rate increases whenever the land acquisition takes place for a National Highway. When a vital road or infrastructure project is laid, then the rates of adjacent lands also go up. Land price appreciation depends on various factors like demand, supply, market forces, development of infrastructure, and improved connectivity. However, it is common knowledge that in most places, real estate market rates are much higher than the collector rates. Despite knowing such differences in rates, when it comes to registration of the properties, most of the revenue authorities never point out the actual market rates but issue valuation certificates at the collectorate rates/ circle rates without correcting the collector rates/circle rates. Concerned officials mostly refrain from updating the data to facilitate the adjustment of black and undeclared money in property transactions. It causes loss to the State exchequer, which receives lesser registration and other fees; loss to the Income Tax department because the capital gain tax is less; and a fatal blow to the system because it provides a foolproof method to those government employees who are corrupt, to launder their ill-gotten and bribe money; to the criminals who adjust the proceeds of crime and illicit money; and also to the others to adjust their undeclared income. However, some of these very revenue officials at once refer to the market rates or even the highly inflated current market rates for assessing the compensation payable for the land acquisition, making the infrastructural development extremely expensive, breaching the project's estimated costs, and delaying the execution.

14. A patwari, Kanungo, and Tehsildar are the key revenue officials at the grassroots level and plays a vital role in the revenue administration at the base level. The allegations of such major leakages in the system at the base level are a matter of grave concern and the concerned Government must deal with the corrupt ones with a firm

CRM-M-64777-2023

hand because if the termite of corruption is allowed to fest, at this rate, it would slowly but surely bleed state exchequer dry and make our foundations hollow.

15. The petitioner, being a patwari, at the ground level is the first functionary to assess the value of land/nature of the land.

16. The petitioner had made a foundation for Anand Sagar Sharma for a grant of higher compensation. The increase of the rates from Rs.3 lakhs per marla to Rs.5 lakhs per marla without any corroborative sale deeds points out that the petitioner was acting beyond his official duties with malice and clearly to help the owner of the land to get higher compensation for acquisition. Had the petitioner been sincere towards his job, then the moment he would have come to notice that the market rate was above the collector rate, it was his bounden duty to inform his superior officer to enable them to make an increase in the collector rate of the relevant area which was not done by him, which shows that market rate was not Rs.5 to 6 lakhs per marla but was Rs. 3 lakhs per marla.

17. Suppose the assessment of rates was made before the breaking of the news of land acquisition, or issuance of notice under the NHAI Act, or actual acquisition. In that case, such an assessment can be said to be without any malicious intent. However, that is not the case at hand. The present case establishes the petitioner's malicious intent to benefit the land's owner and certainly in connivance with Anand Sagar Sharma, CALA, who further sanctioned the compensation at Rs.6 lakhs per marla. Due to this nexus, massive revenue loss was caused to the government. Thus, the petitioner's custodial interrogation is required to determine the financial benefits he had gained from the land purchaser and Anand Sagar Sharma, the then CALA, and recover the said amount, if any.

18. Given the nature of allegations, custodial interrogation is required. An analysis of the allegations and evidence collected does not warrant the grant of bail to the petitioner.

19. In *Sumitha Pradeep v Arun Kumar CK*, 2022 SCC OnLine SC 1529, Supreme Court holds,

[16]. ... 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 anticipatory bail.



The first and foremost thing that the court hearing an anticipatory bail application 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 anticipatory bail. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.

20. In State of Gujarat v. Mohanlal Jitamalji Porwal (1987) 2 SCC 364, Supreme Court holds,

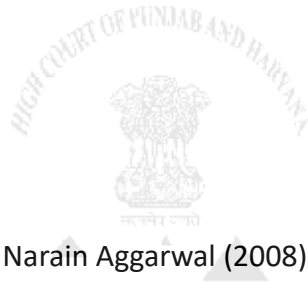
[5].The entire community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the community. A disregard for the interest of the community can be manifested only at the cost of forfeiting the trust and faith of the community in the system to administer justice in an even-handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest....."

21. In State rep. by CBI v. Anil Sharma, (1997) 7 SCC 187, Supreme Court holds,

[6]. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favourable order under Section 438 of the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulted by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.

22. In Jai Prakash Singh v. State of Bihar and another (2012) 4 SCC 379, Supreme Court holds,

[19]. Parameters for grant of anticipatory bail in a serious offence are required to be satisfied and further while granting such relief, the court must record the reasons therefor. Anticipatory bail can be granted only in exceptional circumstances where the court is prima facie of the view that the applicant has falsely been enroped in the crime and would not misuse his liberty. [See D.K. Ganesh Babu v. P.T. Manokaran (2007) 4 SCC 434, State of Maharashtra v. Mohd. Sajid Husain Mohd. S. Husain (2008) 1 SCC 213 and Union of India



v. Padam Narain Aggarwal (2008) 13 SCC 305].

23. In *Y.S. Jagan Mohan Reddy v. CBI* (2013) 7 SCC 439, Supreme Court holds,

[34]. Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country.

[35]. While granting bail, the court has to keep in mind the nature of accusations, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public/State and other similar considerations.

24. In *P. Chidambaram v. Directorate of Enforcement*, 2019 9 SCC 24, Supreme Court holds,

[70]. We are conscious of the fact that the legislative intent behind the introduction of Section 438 Cr.P.C., 1973 is to safeguard the individual's personal liberty and to protect him from the possibility of being humiliated and from being subjected to unnecessary police custody. However, the court must also keep in view that a criminal offence is not just an offence against an individual, rather the larger societal interest is at stake. Therefore, a delicate balance is required to be established between the two rights - safeguarding the personal liberty of an individual and the societal interest. It cannot be said that refusal to grant anticipatory bail would amount to denial of the rights conferred upon the appellant under Article 21 of the Constitution of India.

25. In *Central Bureau of Investigation v. Santosh Karnani*, Cr.A 1148 of 2023, dated 17-04- 2023, Supreme Court, in an FIR registered under sections under Sections 7, 13(1) and 13(2) of the Prevention of Corruption Act, 1988, holds,

[24]. The time-tested principles are that no straitjacket formula can be applied for grant or refusal of anticipatory bail. The judicial discretion of the Court shall be guided by various relevant factors and largely it will depend upon the facts and circumstances of each case. The Court must draw a delicate balance between liberty of an individual as guaranteed under Article 21 of the Constitution and the need for a fair and free investigation, which must be taken to its logical conclusion. Arrest has devastating and irreversible social stigma, humiliation, insult, mental pain and other fearful consequences. Regardless thereto, when the Court, on consideration of material information gathered by the Investigating Agency, is prima facie satisfied that there is something more than a mere needle of suspicion against the



CRM-M-64777-2023

accused, it cannot jeopardise the investigation, more so when the allegations are grave in nature.

[31]. The nature and gravity of the alleged offence should have been kept in mind by the High Court. Corruption poses a serious threat to our society and must be dealt with iron hands. It not only leads to abysmal loss to the public exchequer but also tramples good governance. The common man stands deprived of the benefits percolating under social welfare schemes and is the worst hit. It is aptly said, "Corruption is a tree whose branches are of an unmeasurable length; they spread everywhere; and the dew that drops from thence, Hath infected some chairs and stools of authority." Hence, the need to be extra conscious.

26. In the background of the allegations and the light of the judicial precedents mentioned above in the facts and circumstances peculiar to this case, the petitioner fails to make a case for anticipatory bail.

27. Any observation made hereinabove is neither an expression of opinion on the case's merits, neither the court taking up regular bail nor the trial Court shall advert to these comments.

Petition dismissed. Interim orders stand vacated. All pending applications, if any, also stand disposed.

**(ANOOP CHITKARA)
JUDGE**

23.02.2024
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: **YES**