

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 16526 of 2023

Petitioner :- Vijay Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Sharad Saran Srivastava

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

Heard Sri Sharad Saran Srivastava, learned counsel for the petitioner, learned A.G.A. for the State and perused the record.

By means of the present writ petition under Article 226 of the Constitution of India, the petitioner is assailing the legality and validity of the F.I.R. dated 20.10.2023 registered as Case Crime No. 0548 of 2022, under Sections 419, 420, 467, 468, 471, 120-B I.P.C., Police Station Manjhanpur, District Kaushambi.

Learned counsel for the petitioner submitted that respondent no. 4-Assistant General Manager and Regional Head, Bank of Baroda, Regional Office-Prayagraj IInd, District Prayagraj has lodged the present F.I.R. under Sections 419, 420, 467, 468, 471, 120-B I.P.C. on 20.10.2022 at Police Station Manjhanpur against as many as 83 named accused persons which includes the name of the petitioner Vijay Singh. From the text of the F.I.R., it is clear that after playing fraud with the Bank, petitioner had taken loan of Rs.3,78,000/- and after the loan was disbursed, it has come to the knowledge of the respondent no. 4 that there was fraud played by petitioner. An application was given to the police authorities but neither any action was taken nor any inquiry was conducted. From the F.I.R. it is clear that there is fraud played by accused persons just to siphon the public money.

Per contra, learned A.G.A. submitted that the aforesaid loan was sanctioned in the year 2019 and the petitioner had taken loan of Rs.3,78,000/- and he has to pay regular installments.

It is submitted by learned counsel for the petitioner that even today the petitioner is ready to pay the said amount in easy installments.

In the circumstances, on the solemn taken by learned counsel for the petitioner on behalf of petitioner that he shall clear all the outstanding dues with interest by 31st December, 2023, the petitioner shall not be arrested. In case he fails to pay the same, it is open for the respondent no. 4 to initiate coercive

action to recover the loan amount with compoundable interest on the outstanding dues loan amount. Till 31st December, 2023, the petitioner is required to deposit all the outstanding loan amount to the Bank.

With the aforesaid observation, this writ petition stands **disposed of**.

Order Date :- 18.10.2023

Rmk.