

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-26329 of 2015

Date of decision : 24.08.2015

Swaranjit Singh Bains

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. P.S. Hundal, Sr. Advocate with
Mr. Dinesh Trehan, Advocate
for the petitioner**

Mr. V.P.S. Sidhu, AAG Punjab

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 127 dated 10.07.2015 registered at Police Station Sadar, Ludhiana under Sections 420/120-B IPC.

A complaint was lodged by Sikander Singh that Bhaskar Trikha by using forged document had obtained loan of Rs. 32 lacs from the Bank and the valuer had assessed the property.

The allegations against the petitioner are that he had prepared a valuation report and the Bank relying upon the report had granted loan. The main accused has not been arrested. The allegations are that the petitioner had connived with him and had given a false report.

Learned counsel for the petitioner contends that the Court below had dismissed the application and had referred to the guidelines and the rules issued in October 2013 whereas the report had been prepared in 2011. It was urged that Bhaskar Trikha had

taken him to a property and had shown a plot regarding which he had made the assessment. He further contends that custodial interrogation of the petitioner is not necessary.

Learned State counsel submits that as per the valuation report enquiries were to be made by the valuer from concerned persons in the locality with respect to the ownership which was not done and even the plot was not measured as is apparent from para 9 of the valuation report and the loan of Rs. 32 lacs was granted. It was urged that the petitioner had attached photographs of the property which he had taken on the spot and it had been made integral part of the report.

On the basis of the report given by the petitioner, the Bank had given a loan of Rs. 32 lacs to Bhaskar Trikha. When the loan was not paid, the bank officials landed on the door step of the complainant and it was then that the complainant came to know of the fraud. He got the FIR registered. The main accused is absconding. The petitioner is alleged to have assisted the main accused. He did not make any enquiry relating to the title. Custodial interrogation would be necessary to unearth the nexus. No case for anticipatory bail is made out.

The petition is dismissed.

August 24, 2015

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**(ANITA CHAUDHRY)
JUDGE**