IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-30093 of 2015
Date of Decision: September 07, 2015

Sukhminder Singh

...Petitioner

VERSUS

State (Chandigarh Administration)

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Pankaj Bhardwaj, Advocate
for the petitioner.

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INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.194 dated 16.07.2015 under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Industrial Area, Chandigarh.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that the FIR has been registered on the statement made by A.K.Gulecha, Zonal Manager, UCO Bank against Sukhminder Singh present petitioner Proprietor of M/s Hi-Tech Force, Industrial Area Phase-I, Chandigarh, Kamal Sharma, partner and Virender Singh, Manager. It is the case of the complainant that the accused forged documents for financing the vehicles. The complainant bank has financed 101 vehicles upon the request of

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Sukhminder Singh, Proprietor and their Sales Manager Virender Singh. All the payments were made to above-said accused persons through demand draft in their banks at Chandigarh. The bank officers have sanctioned the loan after verifying the antecedents of the borrowers. The accused persons in connivance with each other, submitted copies of sales certificates of all the vehicles financed by the Bank and delivered by them and also submitted the invoices. Now, it has been found that above-said accused persons in connivance with each other and the borrowers have not delivered all the vehicles financed by the bank and have misappropriated the money financed by the bank towards the sale of commercial vehicles.

At the time of arguments, learned counsel for the petitioner contended that the petitioner was in foreign country and all this has been done by his Manager Virender Singh in connivance with others. It is admitted at the time of arguments that petitioner issued two cheques of ₹2 crores for settling the matter which have been dishonoured. It is further admitted that the amount has been deposited in the account of the firm owned by the present petitioner.

The petitioner is required for custodial interrogation. The amount is still to be recovered.

Keeping in view the nature and gravity of the offence and in view of the fact that amount of more than ₹2 crores has been misappropriated by forging so many documents including sales certificates, I do not find it a fit case where petitioner is entitled to benefit of grant of anticipatory bail.

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Therefore, finding no merit in the present petition, the same is dismissed.

September 07, 2015 **(INDERJIT SINGH)**
Vgulati **JUDGE**

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