

*IN THE HIGH COURT FOR THE STATES OF PUNJAB  
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 39427 of 2014  
Date of decision:- 15.1.2015

Manak Suri

Petitioner

VS.

State of Punjab

Respondent

Present: Mr. MK Dogra, Advocate.  
Mr. CS Brar, DAG, Punjab

**M.M.S.BEDI,J.**

The petitioner is a guarantor for the amount released to his father by the State Bank of India as a loan. The proceedings under SRFAESI Act appear to be pending against petitioner's father. So far as the allegations in the present petition are concerned, the petitioner along with his father is alleged to have assaulted an Advocate, appointed to execute the warrants of possession, issued by the Debt Recovery Tribunal. A debatable issue has been raised whether an agent of the bank could adopt coercive and illegal mode to forcibly take the vehicle of the petitioner. Without entering into the said controversy, it is sufficient to observe that the petitioner has joined the investigation. The property dispute is to be determined by the Debt Recovery Tribunal, which already have stringent provisions against a person, who takes loan and stands guarantor. The petitioner has already joined the investigation and is not required for custodial interrogation.

Accordingly, the petition is allowed and interim order dated 21.11.2014 is hereby confirmed and it is ordered that in case of arrest of the petitioners he will be released on bail to the satisfaction of the arresting officer subject to the condition that he will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. He will not commit the similar offence, of which he is accused of, during pendency of the trial.

January 15 ,2015  
TSM

( M.M.S.BEDI )  
JUDGE