

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-No.9335 of 2015

Date of decision: 14.05.2015

Gurpreet Singh

-----Petitioner (s)

V/s

State of U.T. Chandigarh and another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Jaskaran Singh Attar, Advocate for the petitioner.

Mr. A.S. Virk, Addl. P.P. UT, Chandigarh.

HARI PAL VERMA, J.(Oral)

Prayer in this petition, filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No. 46, dated 16.02.2015, for offence under Sections 420, 467, 468 and 471 of IPC, registered at Police Station, Sector-39, Chandigarh.

The allegation against the petitioner is that he approached the Bank of Maharashtra seeking grant of loan for purchase of Scorpio SUV car from M/s. Goel Motors Mohali and he also executed the required loan documents in favour of the complainant bank. As per quotation submitted by the borrower total price of the vehicle was Rs.11,15, 154/- and, accordingly, the loan of Rs.8 lac was disbursed by the complainant bank. However, instead of purchasing Scorpio SUV car, the petitioner has purchased Verito vehicle of lesser value and intentionally did not submit the registration certificate with the bank. Therefore, on account of cheating and forgery, the present FIR was lodged against the petitioner.

On 23.03.2015, this Court has passed the following order:

"Learned counsel for the petitioner submits that the petitioner is ready to clear the outstanding loan amount within one month.

Notice of motion for 7.5.2015.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions :-

1. That he shall make himself available for interrogation by a police officer as and when required;

2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

3. That he shall not leave India without previous permission of the Court."

On 07.05.2015, the case was adjourned for today i.e. 14.05.2015.

The order dated 23.03.2015 passed by this Court is very categoric and operative sentence reads as under:

"Learned counsel for the petitioner submits that the petitioner is ready to clear the outstanding loan amount within one month."

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Learned counsel for the petitioner submits that the petitioner is not able to deposit the outstanding amount.

On the other hand, Mr. A.S. Virk, Addl. P.P. appearing on behalf of UT, Chandigarh, submits that in fact, the petitioner has intentionally forged the loan documents including the bill.

Considering the fact that the petitioner has not comply with the order dated 23.03.2015, no ground is made out for grant of anticipatory bail.

Accordingly, the present petition is dismissed.

May 14, 2015
Anjal

(HARI PAL VERMA)
JUDGE