

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-17624 of 2016

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Date of decision:13.12.2016

Ravish Manchanda

...Petitioner

v.

State of Haryana

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Ms. Sukhpreet Kaur, Advocate for the petitioner.

Mr. Vikramjit Singh, Additional Advocate General, Haryana for
the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.89 dated 28.3.2016 registered
for the offences under Sections 406 and 420 IPC at Police Station Ambala
City, District Ambala.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, learned Additional Advocate General,
Haryana has put in appearance on behalf of the respondent-State and
contested this petition.

I have heard learned counsel for the petitioner and learned
Additional Advocate General, Haryana appearing for the respondent-State
and have gone through the record.

The allegations of the complainant-Rakesh Garg, Manager, Bank of India are that the petitioner had mortgaged his property against a loan of ₹17.33 Lakhs and still proceeded to execute a sale deed of the same property without reciting the said fact in the subsequent sale deed and without clearing first charge and the subsequent vendee also thereafter raised another loan by mortgaging the same property.

Learned counsel for the petitioner before this Court on 3.6.2016 had contended that the petitioner is ready and willing to clear the outstanding loan of ₹9.5 Lakhs or in the alternative offer a substitute collateral security. Sufficient time had been granted to the petitioner till now, but the petitioner neither has paid the outstanding loan amount nor has given any substitute collateral security which means that the petitioner is not complying with his own statement given before this Court.

Keeping in view the facts and circumstances of the present case, I do not find it a fit case where the present petitioner is entitled to the benefit of anticipatory bail.

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

December 13, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No