

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-25993 of 2016

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Date of decision:19.8.2016

Gaurav Kumar

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. L.S. Sidhu, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab
for the respondent-State.

Mr. Hitender Kansal, Advocate for the complainant.

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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.1 dated 1.1.2016 registered for the offences under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC at Police Station Tripuri, District Patiala.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. Hitender Kansal, learned Advocate has appeared for the complainant and contested

this petition.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Punjab appearing for the respondent-State and learned counsel for the complainant and have gone through the record.

From the record, I find that the FIR in the present case has been registered on the basis of an application given by complainant Sandeep Sharma, Deputy Manager, Bajaj Finance Limited, Patiala, on the allegations that Gaurav Kumar along with two co-accused/non-petitioners, namely, Rahul Kumar and Vikas Kumar had committed the fraud by forging documents for taking loan and using the loan for personal purposes.

At the time of arguments, learned counsel for the complainant argued that there are other cases also which have subsequently come to the notice of the complainant and for that it has been written to the concerned SSP. The allegation against Gaurav Kumar is that he forged the documents and annexed the documents of previous loanees and obtained financial benefits making gains for the wrongful persons and wrongful loss to the complainant.

Keeping in view the facts and circumstances of the present case and the fact the petitioner forged the documents of previous loanees for taking personal loan, I find that his custodial interrogation is necessary, therefore, I do not find it a fit case where the present petitioner is entitled to the benefit of anticipatory bail in view of the serious allegations against him.

[3]

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

August 19, 2016.

(Inderjit Singh)
Judge

hsp

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