

**CRM-M No.28792 of 2016**

**Date of decision: August 29, 2016**

# Chander Kant Gupta

**....Petitioner**

## Versus

## State of Punjab and others

## ...Respondents

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Parshotam Lal Singla, Advocate  
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

**JASPAL SINGH, J.(ORAL)**

By virtue of the instant petition preferred under Section 438 read with Section 482 of Criminal Procedure Code seeking pre-arrest bail in case bearing FIR No.99 dated 19.09.2014, under Sections 406, 420, 467, 468, 471, 472, 473, 120-B of Indian Penal Code, registered at Police Station Division No.8, Kailash Chowk, Ludhiana, District Ludhiana.

It is an undisputed fact that earlier petitioner has filed *CRM-M No.37899 of 2014* seeking pre-arrest bail under Section 438 of Cr.P.C. but that petition was dismissed on merits by this Court vide order dated October 01, 2015.

A glance at the aforesaid order reveals that role attributed to the petitioner and other bank officials of UCO bank is that in spite of a clear legal advise on the file to the effect that before sanctioning of the loan of Rs.70 lacs in favour of Kiran Bhanot, the previous sale deed dated 12.11.2007 in favour of Rakesh Bhanot qua the shop executed by the previous owner, which concededly was lying deposited with the ICICI Bank be summoned and examined, the loan was sanctioned on the basis of

the collusive sale deed dated 13.12.2012 in favour of the wife by Rakesh Bhanot by totally ignoring the legal advise.

Undisputably, previous petition filed by the petitioner seeking pre-arrest bail was dismissed by this Court on 1<sup>st</sup> of October, 2015. Thereafter, petitioner moved *CRM-M-36138 of 2015* for quashing the FIR in question but that was also dismissed vide order dated 11<sup>th</sup> of April, 2016. The only changed circumstances pointed out by the learned counsel for the petitioner after the dismissal of previous pre-arrest petition are that interim relief has been granted to the petitioner and that other two co-accused of the petitioner have already been arrested. But in the view of this Court, these cannot be said to be material/substantial changes in the fact situation after the dismissal of the previous petition. Thus, this Court does not find any merit in the instant petition.

Dismissed.

August 29, 2016  
*m. sharma*

(JASPAL SINGH)  
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No