

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-37082 of 2016

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Date of decision:19.10.2016

Sucha Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. G.S. Kaura, Advocate for the petitioner.

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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.138 dated 13.9.2016 registered for the offences under Sections 420, 465, 467, 468 and 471 IPC at Police Station City Nawanshahr, District S.B.S. Nagar.

I have heard learned counsel for the petitioner and have gone through the record.

As per the prosecution version, the present petitioner Sucha Singh applied for Kissan Credit Card limit ('KCC' – for short) to the complainant-Bank i.e. Punjab Gramin Bank and produced original 'Missal/Fard Hakiyat' and 'Fard Khasra Girdawari' stated to be issued by the concerned Halqa Patwari showing the land as 'Chahi' and got mortgaged the land and further 'Fard Hakiyat' was furnished in which the Collector rate of the said land was mentioned as ₹12 Lacs per acre. KCC limit of ₹18 Lacs

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was sanctioned and was actually disbursed to Sucha Singh. Due to non-payment of loan amount, the complainant-Bank came to know that the land was not 'Chahi' nor it was under cultivation. Rather, it is a 'Gair Mumkin Pahar' and they also came to know that the said documents had been forged and fabricated and were not prepared, signed or issued by the concerned Patwari. It is also in the FIR that for this type of land the loan of ₹1,75,000/- per acre only can be granted.

Keeping in view the nature and gravity of the offences and the fact that the allegations against the petitioner are that he had forged and fabricated the revenue record for cheating the complainant-Bank and obtain the KCC limit of ₹18 Lacs, I do not find it a fit case where the present petitioner is entitled to the benefit of anticipatory bail as he is also required for custodial interrogation.

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

October 19, 2016.

(Inderjit Singh)
Judge

hsp

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