

CRM-M-3917-2016

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**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

CRM-M-3917-2016

Date of decision : 08.04.2016

Neeraj Bhatia

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Dr.Anmol Rattan Sidhu, Senior Advocate
assisted by Mr.Pratham Sethi, Advocate
for the petitioner.

Mr.Kuldeep Tiwari, Addl.AG, Punjab.

Mr. Manish Soni, Advocate
for the complainant.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of anticipatory bail in case FIR
No.328/2015 dated 12.6.2015 under Sections 406, 420, 467, 468,
471 IPC, registered at Police Station Palam Vihar, Gurgaon.

The allegations against the present accused are that he in
connivance with his co-accused wife had forged signatures of
complainant Davinder Kumar Ahluwalia while presenting him as
one of the guarantors in a car loan of ₹ 18 lacs obtained in the name
of his wife.

It is contended that even if the allegations are taken on the face value, the co-accused wife is the main beneficiary who has already been arrested and enlarged on bail. It is next contended that even the case of prosecution is based on documentary evidence and as such nothing has to be recovered from the petitioner, who has already joined investigation. It is also pointed out that even the loan qua which the alleged guarantee was submitted stands paid.

Learned State counsel, on instructions from ASI Sanjiv Kumar, submits that though the petitioner has joined investigation, however, he has not co-operated regarding manner of execution of the offence. He further submits that in the disclosure statement of his co-accused wife, it has specifically come out that the petitioner was the main offender who has committed the offence.

Without commenting on the merits of the case, keeping in view the gravity of offence and the alleged involvement, custodial interrogation of the petitioner would be required for proper and fair inquiry.

Dismissed.

(JASWANT SINGH)
JUDGE

April 08, 2016.
Davinder Kumar