

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

**CRM-M No. 22335 of 2017
Date of Decision: 10.7.2017**

Sheeshpal

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE DR. SHEKHER DHAWAN

Present:- Mr. Gurmeet Singh Guri, Advocate, for the petitioner
Mr. RBS Chahal, Addl. AG, Punjab

SHEKHER DHAWAN, J.

Present petition is for anticipatory bail of the petitioner in FIR No. 120 dated 26.4.2017 under Sections 420, 465, 467, 468, 471 and 120B IPC, registered at Police Station City Khanna, District Ludhiana.

Learned counsel for the petitioner contended that petitioner Sheeshpal is simply guarantor and the loan was taken by Mohan Lal, who is owner of the firm. He has nothing to do with the bank and had not presented any cheque, which was subsequently found to be forged one presented for enhancement of the limit.

Learned State counsel, on instructions from ASI Harpal Singh, Police Station City Khanna, Ludhiana, contended that the cheque amounting to ₹ 2 crores 10 lakhs was found to be a forged document and balance sheet, which was produced at the time of enhancement of limit of the firm, was also found to be inflated one and showing some fictitious amount being assets and all these facts needs to be verified by doing effective

investigation by way of joining all the petitioners in the investigation. The petitioner himself is the main accused as principal borrower Mohan Lal is just running a Pan shop and the petitioner is the original beneficiary under the loan and enhancement of limit.

Having considered the submissions made by learned counsel for the parties and all these facts that; bogus cheque of ₹ 2 crores 10 lakhs along with some documents were presented for enhancement of limit of the firm, which was owned by Mohan Lal and the loan facility was advanced on the basis of guarantee of the present petitioner. The role of the petitioner as a guarantor would also be an important factor during the investigation. However, without making any observation on the merits of the case, which may not adversely affected the interests of the parties, at this stage, this Court is of the considered view that the petitioner would be required for the purpose of investigation and there is no ground for release of the petitioner on interim bail.

In view of above, the petition stands dismissed.

(SHEKHER DHAWAN)
JUDGE

10.7.2017
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No