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

CRM-M-35032 of 2016

Date of decision: February 28, 2017

Tarun Gupta alias Mahesh Gupta

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Yesh Paal Malik, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

Mr. R.S. Chahal, Advocate
for Indian Bank, N.I.T. Faridabad.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the petitioner as well as learned
State counsel. Mr. R.S. Chahal, Advocate appears for Indian Bank,
N.I.T., Faridabad.

Reply has been filed by Sakir Hussain, HPS, A.C.P. NIT,
Faridabad which is on record and I quote following paras from the said
reply:-

“2. In this regard the Investigating Officer has contacted the various Bank Authorities as well as the Superintendent Jail Neemka, Faridabad District Haryana. A request vide letter dated 15.12.2016 was made to the Superintendent, District Jail, Faridabad to seek requisite information in the matter. The Superintendent Jail, Faridabad vide his memo No.2209/Asst. Dated 17.12.2016 has informed that as per their record the petitioner is confined in the District

Jail, Faridabad as under trial and in all they have seven remand papers against the petitioner. The detail submitted by the Deputy Superintendent, Jail District Faridabad is as under:-

- i) FIR No.1664/2013 u/s 420, 467, 468, 120-B IPC PS Sector-20 Noida (U.P);*
- ii) FIR No.1712/2013 u/s 420, 467, 468, 120-B IPC PS Sector-20 Noida (U.P);*
- iii) FIR No.628/2014 u/s 120-B/ 201/ 419/ 420/ 467/ 468/ 471 IPC PS Sadar Gurgaon;*
- iv) FIR No.458/2014 u/s 419/ 420/ 467/ 468/ 471/ 120-B IPC PS Kotwali, Faridabad;*
- v) FIR No.390/2014 u/s 420/ 462 IPC PS Kotwali;*
- vi) FIR No.280/2014 u/s 420/ 465/ 467/ 468/ 471 IPC PS Central Faridabad;*
- vii) FIR No.310/2014 u/s 420/ 467/ 468/ 471 IPC PS Sector-56 Gurgaon.*

3. As per above detailed report there are 3 criminal cases registered in District Faridabad (Two in PS Kotwali and One in PS Central, Faridabad). There are other two cases have been registered in PS Sector 20, NOIDA (U.P.) and there are also two cases registered against the petitioner in District Gurgaon, Haryana (one in PS Sector 56 and the another in PS Sadar Gurgaon).

4. That thereafter the Investigating Officer also contacted the Branch Manager, Dena Bank Branch, Faridabad. The statement of Shri Babu Lal Meena, Branch Manager was recorded. He stated in his statement that as per his knowledge that the petitioner has committed cheating with the following banks:-

- i) Indian Bank Gurgaon (2 loan cases) cheated amount Rs.56,50,000/-;*

- ii) *Indian Bank, Faridabad (One loan case) cheated amount Rs.9,00,000/-;*
- iii) *J&K Bank Gurgaon (one loan case) cheated amount Rs.60,00,000/-;*
- iv) *State Bank of Indian, Sector 56, Gurgaon (2 loan cases) cheated amount Rs.20,00,000/-;*
- v) *Sarva Haryana Gurgaon Gramin Bank Gurgaon (3 loan cases) cheated amount Rs.15,00,000/-;*
- vi) *Allahabad Bank Gurgaon (1 loan case) cheated amount of car loan;*
- vii) *Punjab National Bank, Bahadurgah (1 loan case) cheated amount Rs.10,00,000/-.*
- Viii) *Bank of Baroda, Bahadurgarh (one loan case) cheated amount Rs.10,00,000/-.*
- ix) *UCO Bank NOIDA (One loan case) cheated amount Rs.2 crore 80 lac;*
- x) *Punjab & Sind Bank NOIDA (one loan case) cheated amount Rs.2 crore 70 lac;*
- xi) *Dena Bank Faridabad (one loan case) cheated amount Rs.45,00,000/-;*
- xii) *Andhra Bank Bahadurgarh (one loan case) cheated amount Rs.7,00,000/-;*
- xiii) *State Bank of India, Faridabad (one loan case) cheated amount Rs.10,00,000/-.*

It is further submitted that the petitioner has constituted a Gang with his other co-accused and thus has cheated in 17 cases with the above banks and approximately has cheated an amount of about more than Rs.8 crore.”

Learned counsel for the petitioner submits that the petitioner is not at all concerned with the offences alleged against him

and at any rate, he has been granted bail by the Court in 2 cases out of 3 cases at Faridabad and in 2 cases at Gurgaon. In so far as Noida jurisdiction is concerned, he is granted bail in 2 cases.

Looking to the entire nature of the prosecution allegations and the amount of fraud that has been unearthed, I do not think the petitioner should be granted regular bail as claimed by him. However, it is necessary to have the trial completed.

In that view of the matter, the trial Court in all these cases is directed to take up the trial for disposal and in any case, complete the same within 6 months from today. Prosecution agency is directed to cooperate fully with the Court regarding production of accused in jail etc. It shall be the responsibility of Home Department of State of Haryana to oversee the expeditious disposal of the trial.

Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

February 28, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No