

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-6961 of 2017 (O&M)
Date of decision: August 18, 2017

Gulzar Singh ...Petitioner

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.K. Handa, Advocate for the petitioner.
Mr. Aditya Sharda, AAG, Punjab.
Mr. Anant Bir Singh Sidhu, Advocate for respondent No.2.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 420/120B IPC at Police Station City Batala, District Gurdaspur, vide FIR No.205 dated 18.12.2014.

Primarily, it has been contended before the court that there has been a compromise between the parties. Considerable amount has already been remitted to the bank. Thus, petitioner deserves concession of anticipatory bail. Factum of compromise has been denied by counsel appearing for the complainant/respondent No.2.

Learned State counsel submits that allegations against the petitioner are serious. He had availed a loan from the bank after mortgaging certain properties. However, said property was sold to some one else.

I have heard learned counsel for the parties and given careful

thought to the facts of the case.

Allegation against the petitioner is that he being partner of firm M/s M.K. Tractors, Batala, availed a loan of Rs.60.00 lacs i.e. Rs.20.00 lacs as limit and Rs.40.00 lacs as L.C. Limit. He failed to repay the amount. On the other hand, he sold the mortgaged property to some one.

Keeping in view seriousness of allegations, no case for pre-arrest bail is made out. Needless to observe that FIR in question was registered in the year 2014. Proceedings are still pending. It is inexplicable how this third petition for pre-arrest bail is maintainable. The assertion that a compromise has been entered into, has been denied by the complainant. There is no ground for grant discretionary relief of pre-arrest bail.

Dismissed.

(RAJAN GUPTA)
JUDGE

August 18, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No