

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

**CRM M-39161 of 2018**

**Date of decision : 06.10.2018**

Satinder Pal Singh

....Petitioner

V/s

State of Punjab

....Respondent

**BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. A.S. Rai, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G. Punjab.

**RAJAN GUPTA J.**

This is a petition under section 438(1) Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under sections 420, 419, 465, 467, 468, 471 & 120-B IPC vide FIR No. 52 dated 23.08.2017 at police station Kalanaur, district Gurdaspur. It has been urged before the court that petitioner is entitled to pre-arrest bail as he was performing his official duty and has not tampered with the record in any manner. According to him, petitioner has been unnecessarily arraigned as an accused. Learned State counsel has, however, opposed the prayer for anticipatory bail. He has produced the original record and pointed out that petitioner has done tampering in the record on the basis of which he issued a rapat roznamcha no. 402 to enable the co-accused to get a loan from the bank. According to him, all efforts to arrest the petitioner have proved futile so far. Investigating agency also suspect connivance of the bank officials and efforts are afoot to apprehend the petitioner.

This court finds substance in the stand taken by the State. It is evident that one Sucha Singh made a complaint to the police that bank

officials in connivance with each other got a Kisan Credit Card issued in the name of his father namely Wassan Singh. Accused Jatinder impersonated as Wassan Singh and got mortgaged 70 kanals 16 marlas land of his father situated in village Bhojraj. On the basis of same, loan of ₹26,30,267/- was sanctioned to co-accused. Even entry of mortgage of land was made in the revenue record. Complainant asserted that his father had never applied for loan from any bank. Pursuant to complaint, a detailed investigation was carried out. It was found that petitioner, who was Patwari at the relevant time, connived with other officials and tampered with the documents of the land in question. In fact without his connivance the transaction could not have been completed. On instructions from Inspector, Gurpal Singh, Vigilance Bureau, district Gurdaspur, who is present in court, State counsel submits that petitioner is required for the purpose of custodial interrogation as he has failed to reveal the *modus operandi* of the crime. A query has been put to learned counsel for the petitioner as to maintainability of the second anticipatory bail application. He has replied that co-accused namely Satnam Singh has been granted the concession of anticipatory bail by coordinate Bench (P.B. Bajanthri, J), thus, present petition is maintainable. I do not find any merit in this plea. The role assigned to Satnam Singh is different. Against petitioner there are serious charges of making interpolation in the government records and enabling the co-accused to carry out the crime. It appears that his custodial interrogation is necessary to take the investigation to its logical end. Petition is, thus, without any merit and is hereby dismissed.

October 06, 2018

Ajay

(RAJAN GUPTA)  
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No