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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4081, 4698, 4084, 4595,
4605, 4683, 4686, 4687 of 2018.
Date of Decision: 21.02.2018

Pala Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. P.S. Mirpur, Advocate,
for the petitioner(s).

Mr. Bhupender Beniwal, A.A.G., Punjab.

Mr. Saurabh Bhardwaj, Advocate,
for the complainant-Bank.

Amol Rattan Singh, J.

Learned counsel for the petitioner submits that what has been recorded in the order of this Court dated 09.02.2018, that the petitioner turned an approver, on his statement being recorded under Section 164 Cr.P.C., is erroneous, as his contention was that he is to be cited as a witness for the prosecution in view of the aforesaid statement, as also because he had a conversation with the investigating officer/another police official giving details of the crime having been committed and as such, he cannot be an accused in the FIR.

The aforesaid contention is rejected as simply because the petitioner on having been produced before the learned Sub Divisional Judicial Magistrate on 05.07.2017 (as is seen from the certified copy of the order passed on that date by the learned SDJM, produced by learned State

counsel), he having stated to the effect that he was working at a particular place 4-5 years earlier, where other persons were conspiring to and were indulging in illegal activities including making forged records (*Jamabandis*), it would not in any manner take away his criminal liability, if it is eventually found to be so in investigation.

Learned State counsel has pointed to the SIT report, where the petitioner has been named as one of the two masterminds in the entire scandal/scam of obtaining loans from the HDFC Bank, Sardulgarh, by furnishing forged *jamabandis* and mortgage deeds to the Bank.

Consequently, without making any comment on the merits of the case for or against the petitioner, this is not a case where the petitioner can be admitted to anticipatory bail in these petitions, his custodial interrogation being required to try and obtain from him the *modus operandi* etc. of the crimes having been committed.

These petitions are therefore dismissed.

A photocopy of this order be placed on the file of the connected case.

February 21 , 2018
dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No