

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

**CRM No.M-44537 of 2017 (O&M)
Date of Decision: October 05, 2018**

Ram Pal

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Keshav Pratap Singh Advocate
for the petitioner.

Mr.Sukhdeep Parmar, DAG, Haryana
for the respondent-State.

Mr.D.K.Gupta, Advocate
for the complainant.

Mr.Ashit Malik, Advocate
for respondent No.2.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.339 dated 31.10.2015 under Sections 406, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Taraori, Karnal.

Notice of motion was issued. Learned State counsel as well as learned counsel for respondent No.2 appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per the FIR, present petitioner is partner of M/s Mahalaxmi

for ₹30 lakhs for business of rice after husking the paddy. All the partners of the firm, at that time i.e. Ram Pal, Shish Pal, Anoop Singh and Ravinder Kumar, executed loan and security documents in favour of the bank on 10.07.1998. The credit facility was extended to ₹6.20 crores. Ram Pal and Jangsher produced partnership deed dated 01.04.2004 and mortgaged the property i.e. land measuring 8 kanals. As per the allegations, the property in question was already transferred by the petitioner before mortgaging the same with the bank. Furthermore, it has also come to the notice of the bank that hypothecated stock of paddy etc. was also disposed of. It is also argued at that time of arguments that documents were also forged regarding partnership firm etc.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and in view of the fact that case is at preliminary stage and there is every chance of tampering with the evidence, I do not find it a fit case where petitioner is entitled to benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

As the petitioner is on interim bail, he is directed to surrender himself before learned trial Court within 15 days from today and if the petitioner did not surrender, then learned trial Court will take appropriate action, as per law.

October 05, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No