

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

CRM M-45749 of 2017

Date of decision : 04.05.2018

Satinder Pal Singh

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Dhawaljeet Dutta, Advocate for the petitioner

Mr. C.L. Pawar, Sr. DAG Punjab.

RAJAN GUPTA J.

Petitioner seeks concession of pre-arrest bail in a case registered against him 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 has been falsely implicated in the case. According to learned counsel, no recovery is to be effected from the petitioner. Thus, he deserves the concession of pre-arrest bail. Learned State counsel has opposed the prayer on the ground that allegations against the petitioner are serious.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was registered on the basis of complaint made by Sucha Singh. He alleged that the Manager, Field Officer and concerned clerk of Allahabad Bank, Sagarpur, Batala in connivance with each other got issued kisan credit card in the name of his father Wassan Singh by mortgaging his

land measuring 70 kanals 16 marlas situated in village Bhojraj. On the basis of same, a loan of ₹26,30,267/- was sanctioned to them. Entry regarding mortgage of land had also been made in the revenue record. According to complainant, his father had never applied for the loan from any bank. In this manner, accused in connivance with each other committed fraud and cheating with them. Pursuant to registration of FIR, investigation ensued. Petitioner who was Patwari at the relevant time allegedly connived with other accused to prepare forged/fabricated documents of the land in question. On the basis of same, they were issued Kisan credit card in the name of Wassan Singh. Thereafter, they took loan of ₹26,30,267/- by mortgaging his land. Stand of the investigating agency before this court is that custodial interrogation of the petitioner is required for taking the investigation to its logical end. Relevant para of the affidavit filed by Navjot Singh, DSP Vigilance Bureau, Gurdaspur is reproduced below:-

“6. That, the petitioner is avoiding arrest and is not cooperating with the police. His custodial interrogation is necessary to complete the investigation. Therefore, the petitioner is not entitled to the anticipatory bail as prayed for by him.”

In view of above, prayer of the petitioner for grant of pre-arrest bail is without merit. Petition is dismissed.

May 04, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No