

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

CRM-M-8269-2018 (O&M)

Date of decision: 27.03.2018

Ramdia

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Ankur Lal, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

The instant petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.09, dated 17.01.2018, under Sections 406/420/465/467/471 IPC, registered at Police Station Siwan, District Kaithal.

FIR came to be registered at the instance of an official of the Haryana Gramin Bank on the assertion that the petitioner had raised a loan of Rs.2.50 lakhs from a particular branch of the bank and by mortgaging his land measuring 32 kanals and 2 marlas. Mortgage deed was dated 09.06.2009 and mutation in regard thereto was dated 10.06.2009. Precise allegation is that a fraud had been committed by the petitioner inasmuch as a fraudulent and forged redemption letter has been set up and the petitioner has availed of a loan of Rs.4 lakh from the then State Bank of Patiala, Branch Kharkan on the strength of same very land and without repaying the earlier loan availed from Haryana Gramin Bank.

Counsel for the petitioner has vehemently argued that issuance of 'No Due Certificate' and 'Redemption Letter' was in house procedure and the petitioner has no role whatsoever insofar as the 'Redemption Letter' is concerned. Further argued that even the subsequent loan of Rs.4 lakhs availed of from the State Bank of Patiala has been repaid.

Having heard counsel for the petitioner at length and having perused the case paper book, this Court is not inclined to extend in favour of the petitioner concession of pre-arrest bail.

Availing of loan for an amount of Rs.2.50 lakhs from a particular branch of the Haryana Gramin Bank and by mortgaging land measuring 32 kanals, 2 marls is conceded by counsel. Even though, a case has been made out that the petitioner has no role as regards issuance of 'Redemption Letter', yet in spite of this Court repeatedly calling upon counsel to advert any material/document as regards repayment of the earlier loan of Rs.2.50 lakhs from the Haryana Gramin Bank, counsel expresses his inability to do so.

These kind of fraudulent transactions are on the rise in these days and time. These are matters which require a thorough and deep probe.

Petitioner having not been able to satisfy this Court on the strength of any relevant documents as regards repayment of the earlier loan of Rs.2.50 lakhs taken from Haryana Gramin Bank, it would be a matter which may well warrant custodial interrogation of the petitioner.

Petition is dismissed.

Pending applications, if any, shall also also stand disposed
of.

27.03.2018

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |