

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-175-2019 (O&M)
Date of Decision:-2.4.2019

Santosh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek Khatri, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered against her vide FIR No.391 dated 27.9.2017 at Police Station Sadar, Sonipat, District Sonipat under Sections 406 and 420 of Indian Penal Code, 1860.

The FIR was lodged at the instance of Amit Raj, Chief Manager, Punjab National Bank, Sector 14, Sonipat, wherein it has been alleged that the petitioner and her husband Kuldeep Singh had been sanctioned a loan amount of Rs.10,00,000/- for purchase of Mahindra Scorpio and that the said accused having availed the loan, furnished forged invoices and receipts showing that they had purchased the vehicle for an amount of Rs.11,35,098/-. Subsequently, when the said accused defaulted in

repayment of the loan, enquiries were made and it surfaced that the aforesaid retail invoices, receipts and other documents were forged and that accused had never purchased the vehicle in question.

The learned counsel for the petitioner has submitted that in fact the entire loan amount including interest has already been paid and the bank has issued a Closure Certificate after having received Rs. 10,50,000/-. It has further been submitted that husband of the petitioner has already been released on regular bail.

Opposing the petition, learned State counsel has submitted that the petitioner is specifically named in the FIR and that from the bogus invoices and receipts, it is evident that she and her husband have defrauded the bank. It has, however, been informed by the learned State counsel, upon instructions from SI Ranbir Singh that the entire loan amount already stands repaid.

Having regard to the facts and circumstances of the case and bearing in mind the fact that the entire loan amount has been repaid and that the case is mainly based on documentary evidence and also that petitioner has joined investigation, in my opinion, the custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 8.1.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petition stands accepted accordingly.

2.4.2019
rakesh

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No