

205

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

CRM-M-6510-2019

Date of decision-16.07.2019

Mahender

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rao Ajender Singh, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Bhagwan Dass.

Mr. S.S.Pathania, Advocate for respondent No.2.

MANOJ BAJAJ, J.

Petitioner-Mahender has prayed for grant of anticipatory bail in case FIR No.288 dated 15.06.2018 under Sections 420, 467, 468 and 471 of Indian Penal Code registered at Police Station Dharuhera, District Rewari (Haryana).

The FIR was registered on the statement of Saroj Kumar, Branch Manager, State Bank of India, Dharuhera (complainant) with the allegations that the petitioner had submitted forged documents in order to obtain loan from the Bank.

Learned counsel for the petitioner contends that the loan was obtained in the year 2011 and in respect of recovery of the same, a civil suit is already pending. According to him, the dispute is purely of civil nature

and the FIR was got registered after an inordinate delay of 7 years. Reliance is placed upon the order dated 30.04.2019 passed by this Court in CRM-M-6135-2019, wherein the FIR was registered on almost similar grounds and the concession of anticipatory bail was extended to the said accused.

On the other hand, learned State counsel assisted by ASI Bhagwan Dass has opposed the prayer, however, it is not disputed that the entire case is based on documentary material. It is also not disputed that suit for recovery of Rs.4,01,499/- has already been filed by the petitioner.

Considering the above, this Court does not find any valid reason to deny the concession of pre-arrest bail and therefore, considering the above background and the facts and circumstances of the case, the custodial interrogation of the petitioner may not be necessary. Therefore, it is ordered, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

16.07.2019

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No