

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21149-2019

Date of decision: 14.05.2019

Balbir Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Rajvinder Kaur, Advocate for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.48 dated 29.01.2019 under Sections 420, 467, 468, 471, 201, 120-B IPC, registered at Police Station Ambala City, District Ambala.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Mukesh Kumar, two of the co-accused namely Love Kumar Saini and Anil Singla approached him for the purpose of taking loan from the bank and thereafter, they prepared a loan file and opened his bank account in the State Bank of India and took his documents like photograph, Aadhar Card, Ration Card for preparation of PAN card. After receiving the PAN card at his address, it was found that the photograph of one Love Kumar Saini was on the same. Then he again was taken to the Tehsil office for getting his photograph clicked and his signatures were obtained on many documents, on the pretext of correcting his PAN card. In the meantime, the complainant came to know that cheque for a sum of Rs.8.00 lacs is received in his account and thereafter, he gave two cheques and contacted Love Kumar

Saini and Anil Singla in this regard, from where he came to know that in fact his signatures were obtained on a loan file.

Learned counsel for the petitioner further submits that the only allegation against the petitioner is that he is an attesting witness of the loan file and he has not identified any wrong person. It is further submitted that in fact complainant Mukesh Kumar and co-accused Love Kumar Saini and Anil Singla were together and later on, after obtaining the loan, present FIR has been registered.

Learned State counsel, on instructions from SI Tehal Singh, submits that co-accused Love Kumar Saini and complainant Mukesh Kumar are involved in another FIR registered at Sunder Nagar, Himachal Pradesh and on the basis of custody certificate dated 13.05.2019 filed in the Court today, has not disputed the fact that the petitioner is not involved in any other case.

Without commenting anything further on merits of the case, considering the fact that the investigation is complete; offences are triable by the Court of Magistrate; petitioner is not involved in any other case; he is not beneficiary of the loan and is only an attesting witness, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

14.05.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No