

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

CRM-M-23475 of 2019 (O&M)
Date of decision: September 4, 2019

Manoj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. HPS Ishar, Advocate for the petitioner.

Mr. IPS Doabia, Addl. Advocate General, Punjab.

Rajan Gupta, J.(oral)

Petitioner seeks concession of pre-arrest bail in a case registered against him under sections 419, 420, 465, 467, 468, 471/120-B IPC, vide FIR No. 52 dated 23.08.2017 at police station Kalanaur, District Gurdaspur. It has been contended before the court that petitioner has been falsely implicated in the case. According to learned counsel, petitioner being a Manager of the Bank acted on the basis of report of the field officer and concerned staff. He submits that petitioner has no connection whatsoever with the alleged crime. Thus, he deserves to be enlarged on bail.

Learned State counsel has opposed the prayer on the ground that allegations against the petitioner are serious. According to him, petitioner has already been declared a proclaimed offender on 8.7.2019.

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 cheated them. Pursuant to registration of FIR, investigation ensued. It appears that petitioner who was the Branch Manager of Allahabad Bank at the relevant time issued Kisan Credit card in the name of Wassan Singh by mortgaging his land with the bank. Thereafter, he sanctioned a loan of ₹26,30,267/- to the accused on the basis of forged and fabricated documents. According to reply filed by way of affidavit of Kawaldeep Kaur, DSP, Vigilance Bureau, Gurdaspur, petitioner could not be arrested despite repeated raids conducted by the investigating agency. Custodial interrogation of the petitioner is required for taking the investigation to its logical end.

Keeping in view the nature of allegations and the gravity of offence, I am of the considered view that petitioner is not entitled to concession of pre-arrest bail. This court had earlier rejected a similar prayer made by the petitioner, vide order dated 04.05.2018, passed in

CRM-M-15032 of 2018. He has been avoiding his arrest. It appears, petitioner has also been declared a proclaimed offender on 8.7.2019. He has now preferred the instant petition. There appears to be no change of circumstances. Thus, it is inexplicable how present petition is maintainable.

Dismissed.

(RAJAN GUPTA)
JUDGE

September 4, 2019
'Rajpal'

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