

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

CRM-M-9323-2020 (O&M)
Date of Decision:- 2.3.2020

Rajveer Singh	Versus	... Petitioner
State of Punjab and Others		... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.K.Bhardwaj, Advocate for the petitioner.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking quashing of FIR No.80 dated 10.4.2019 registered at Police Station City Rajpura, District Patiala under Sections 419/420/467/468/471/120-B of Indian Penal Code, 1860 and all consequential proceedings emanating therefrom.
2. A perusal of FIR would show that the same has been lodged at the instance of Bhag Singh, Chief Manager, State Bank of India, Rajpura Branch, Patiala wherein it has been alleged that Avtar Singh along with his sons namely Parminder Singh and Gurwinder Singh had taken a loan from the bank and that in a similar manner he had also raised loans from other banks. It is alleged that when it came to be known to the Bank that Avtar Singh had committed a fraud, the said Avtar Singh deposited amount in the bank for repayment of loan but his sons did not deposit the amount. It is further alleged that all the loan cases of village Rampur had been sanctioned while

practising fraud regarding which a complaint had already been made. It is alleged that the loan which has been sanctioned in favour of Rajveer Singh was sanctioned while practising fraud inasmuch as Rajveer Singh had impersonated as Amarjit Singh and had got a “registry” executed wherein Avtar Singh had signed the same as an attesting witness and which would clearly show that the entire fraud was in the knowledge of Avtar Singh. It is, thus, alleged that Avtar Singh initially defrauded the bank himself and then helped others to defraud the bank in a like manner.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that there is no evidence worth credence to show that the petitioner had any role in defrauding the bank in question. It has further been submitted that the petitioner, in any case, has always been ready and willing to repay the loan amount and which would clearly show that his intention was never to cheat the bank in question.
4. I have considered the aforesaid submission before this Court.
5. A perusal of the FIR would show that there are specific allegations in unambiguous terms against the petitioner to the effect that at the time of raising loan, he had furnished 'registry' wherein he had impersonated as Amarjit Singh and which had been attested by Avtar Singh as an attesting witness. Avtar Singh is a person who can be expected to know and identify all the persons of the village, being ex-sarpanch of the same village of which the petitioner Rajveer Singh is the resident but somehow he chose to identify the petitioner as Amarjit Singh incorrectly. Further, the contention of the petitioner that he has always been ready and willing to discharge the loan is clearly negated from the fact that when said Rajveer Singh had approached

this Court seeking grant of anticipatory bail by way of filing CRM-M-24510 of 2019, it had been represented that they would deposit the loan amount taken by Rajveer Singh in the name of Amarjit Singh along with interest and on account of which benefit of interim bail was extended to him on 31.5.2019 but the petitioner never deposited the loan amount in question and consequently, keeping in view the said conduct of the petitioner, the petition seeking grant of anticipatory bail was dismissed vide order dated 23.7.2019 (Annexure P-4).

6. In view of the aforestated position, this Court does not find any ground for quashing of the FIR.
7. The petition is sans any merits and is hereby dismissed.

2.3.2020

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No