

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

CRM-M-12920-2020 (O&M)

Date of Decision:- 27.5.2020

Dara Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. O.P.Kamboj, Advocate for the petitioner.

Mr. Impinder Singh Dhaliwal, Advocate for the complainant.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered against him vide FIR No.18 dated 6.2.2020 under Sections 380/420/465/467/468/471 IPC at Police Station Kabarwala, District Sri Muktsar Sahib.
2. The FIR was registered at the instance of Gurbaksh Singh. The petitioner is grandson of complainant's brother. The allegations are to the effect that the petitioner had stolen cheques of the complainant and after forging his signatures had withdrawn an amount of ₹ 11 lacs out of which ₹ 4 lacs and another amount of ₹ 2 lacs was transferred to the account of the petitioner while an amount of ₹ 5 lacs was withdrawn in cash.

3. The learned counsel for the petitioner has submitted that the petitioner and the complainant are closely related and that the amount in question had been advanced as loan to the petitioner which infact had been returned by him. The learned counsel has further submitted that in fact the land belonging to the petitioner's mother had been mortgaged for raising loan which had been raised for the purpose of purchasing a combine harvester.
4. Shri Gaurav Dhuriwala, Senior DAG, Punjab to whom an advance copy of the petition has been served, accepts notice on behalf of the State.
5. Opposing the petition, the learned State counsel has submitted that the cheques in question were got examined from FSL and it has been established that the signatures existing on the said cheques were forged. It has further been pointed out by learned State counsel that the petitioner is involved in another identical FIR i.e. FIR No. 122 dated 25.8.2019 under Sections 420/120-B IPC, Police Station Kabarwala, District Sri Muktsar Sahib wherein the allegations are to the effect that he had sold off a vehicle which infact stood mortgaged with the bank.
6. I have considered rival submissions addressed before this Court. While bearing in mind that the FSL report *prima facie* establishes the forgery which had been committed and the amount having been withdrawn on the basis of forged cheques and while also bearing in mind the antecedents of the petitioner, this Court does not find any case for grant of anticipatory bail.
7. The petition, as such, is sans any merits and is hereby dismissed.
8. It is, however, clarified that in case the petitioner surrenders before the trial Court within two weeks from today and moves an application for grant of regular bail, the trial Court shall endeavour to dispose of the same

expeditiously, preferably within a period of two weeks from filing of such application.

27.5.2020

kamal

(Gurvinder Singh Gill)

Judge

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