

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

208

**CRM-M-22852-2020
Decided on : 23.09.2020**

Ashok Garg

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Amol Rattan Sidhu, Sr. Advocate with
Mr. Pratham Sethi, Advocate,
for the petitioner(s).

Mr. Apoorv Garg, DAG, Haryana
assisted by ASI Navjeet Singh.

MANJARI NEHRU KAUL, J. (Oral)

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 180, dated 28.06.2019, under Sections 120-B, 406, 420, 467, 468, 471 IPC, registered at P.S. Urban Estate Hisar, District Hisar.

Learned counsel for the petitioner *inter alia* contends that a false and fabricated version has been put-forth by the complainant in the FIR in question. He further submits that there is no incriminating evidence on record to connect the petitioner with the alleged crime and in fact, a civil dispute has been given a criminal complexion. A prayer has therefore been made to extend the concession of regular bail to the petitioner, who has been in custody since 15th July, 2020.

Per contra, learned State counsel while opposing the contentions of the learned counsel for the petitioner, has submitted that there are serious allegations levelled against the petitioner in the FIR in question, inasmuch as, he sold a property situated at Model Town, Hisar to the complainant vide a registered sale-deed dated 02nd July, 2015, for a sum of Rs. 1,16,11,000/-. The entire sale

consideration was paid by the complainant to the petitioner through his Bank

account. However, the petitioner retained the previous registered sale-deed and in the year 2016 fraudulently procured a bank loan of Rs. 1,94,00,000/- *qua* the same property showing himself to be *bona fide* owner on the basis of forged and fabricated documents.

Learned State counsel has further apprised this Court that the Bank concerned from where the loan had been procured on the basis of forged and fabricated documents, also moved a complaint against the petitioner for having obtained the loan on a property, which already stood sold to the complainant. Still further, the learned State counsel has brought to the notice of this Court that there are as many as 25 criminal cases pending against the petitioner including cases under the Negotiable Instruments Act.

Heard.

No ground is made out to extend the concession of regular bail to the petitioner, as only report under Section 173 Cr.P.C. has been filed as recently as on 08th September, 2020 and more so, in the wake of his antecedents, the petitioner does not deserve the concession of regular bail.

Accordingly, the present petition stands dismissed. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 23, 2020

J.Ram

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