

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29503 of 2020
Date of Decision : 24.09.2020

Bijender Singh

...Petitioner

Versus

State of Haryana

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajnikant Upadhyay, Advocate, for the petitioner.

Ms. Rajni Gupta, Addl. A.G, Haryana.

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Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.155 dated 17.10.2019 under Sections 420,406,467,468,471,34,120-B of IPC registered at Police Station Sectors 32-33, District Karnal.

Learned counsel for the petitioner states that the petitioner has wrongly been implicated in the present case and the allegations, which have been alleged against the petitioner are totally incorrect and false. Learned counsel for the petitioner further states that the petitioner had never impersonated his father so as to avail the benefits and, therefore, the petitioner be granted the benefit of anticipatory bail as he is ready to join and cooperate in the investigation. Learned counsel for the petitioner further submits that the amount, which was obtained by the alleged impersonation, has been returned by the petitioner.

Ms. Rajni Gupta, Addl. A.G, Haryana, who has joined the proceedings through video conference keeping in view the advance copy of

the petition, submits that the petitioner had impersonated his father and had

taken the loan amount. Learned State counsel further submits that the petitioner had self attested copies of four documents while taking the loan and even, the photograph, which was taken at the time of the mortgage deed is of the petitioner and, therefore, the contention of the petitioner that he is falsely implicated is patently false.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The allegations against the petitioner are serious. The documents prima facie, which have come during the investigation points the finger towards the petitioner for raising loan by impersonating as Rai Singh. Further, learned counsel for the petitioner himself has admitted that the amount has been repaid by the petitioner. The fact that once the loan was taken in the name of Rai Singh, why the petitioner has returned the said amount, is liable to be explained. As per the respondents, certain recoveries are yet to be effected from the petitioner. Challan is yet to be presented. Therefore, keeping in view the facts and circumstances of the case, especially, when the investigation is yet to be finalized and certain recoveries are yet to be effected from the petitioner, no ground is made out to grant the petitioner the benefit of anticipatory bail.

Dismissed.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 24, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No