

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

(1) **CRM-M-40073-2019 (O&M)**

Prabhjot Singh ... Petitioner

Versus

State of Punjab ... Respondent

(2) **CRM-M-42983-2019 (O&M)**

Jatindervir Singh ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:- 26.2.2020

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.S.Salana, Advocate for the petitioners.

Mr. Randhir Singh Thind, Deputy Advocate General, Punjab,
assisted by ASI Gulzar Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of Prabhjot Singh and Jatindervir Singh seeking grant of anticipatory bail in a case registered against them vide FIR No.67 dated 16.6.2018 under Sections 420/406/465/467/468/471/120-B IPC at Police Station Sirhind, District Fatehgarh Sahib.
2. It is the case of prosecution that petitioner Prabhjot Singh had taken a loan for an amount of ₹ 20 lacs from State Bank of India Branch, Sirhind, District

Fatehgarh Sahib by mortgaging a piece of land which infact already stood mortgaged with other banks. It is further the case of the prosecution that co-accused Jatindervir Singh was the witness to the mortgage deed in question and since Prabhjot Singh had raised loan from various banks amounting to ₹ 1.83 crore approximately, he had, thus, clearly cheated the bank in question.

3. The learned counsel for the petitioners have submitted that there was no intention on part of the petitioner Prabhjot Singh to cheat the bank and infact the entire loan amount of ₹ 20 lacs already stands repaid. The aforestated position regarding repayment of loan is not disputed by the learned State counsel who has sought instructions from ASI Gulzar Singh, present in the Court.
4. In view of the aforestated position where the entire loan amount already stands repaid, this Court does not find any ground for custodial interrogation of the petitioners.
5. The petitions, as such, are accepted and the petitioners in the event of arrest shall be released on bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

26.2.2020

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No