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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.14324 of 2021
Date of Decision: 22.04.2021

MEWA SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sarbjeet Singh, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.68 dated 27.06.2020 registered under Sections 420, 120-B IPC at Police Station Shambu District Patiala.

The allegations are that the petitioner had availed loan of Rs.5 lakhs from the Housefed by mortgaging his land measuring 7 *bighas* 5 *biswas* comprising in *Khasra* Nos.852 and 856. Thereafter by concealing the aforesaid mortgage, the

petitioner and his son Chhaju Singh raised another loan of Rs.21 lakhs from the Corporation Bank by mortgaging the land measuring 11 *bighas* 14 *biswas* including the land measuring 7 *bighas* 5 *biswas* which was already under the mortgage with the Housefed. At the time of availing the second loan, a *jamabandi* containing wrong entry was produced before the Corporation Bank so as to give an impression that the land was free from all encumbrances.

The allegations are that the petitioner had fabricated the revenue record in order to avail second loan of Rs.21 lakhs. The second loan has already reached upto Rs.45 lakhs as per the details projected by the Bank.

The allegations are well founded. Petitioner has committed fraud with the public sector bank by committing forgery and being beneficiary of the fraud, he is not entitled for any indulgence under Section 438 Cr.P.C. This petition is accordingly dismissed.

April 22, 2021

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No