

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.19593 of 2021
Date of Decision:- 08.06.2021

Bhim Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. K.D.S Hooda, Advocate for petitioner.
Mr. Anant Kataria, Deputy Advocate General, Haryana-State

KARAMJIT SINGH, J.

Case has been heard through video conferencing on account of COVID-19 Pandemic.

2. The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.58 dated 08.02.2018 under Sections 420, 468, 471, IPC (later on offences under Sections 409, 120-B IPC added), registered at Police Station Sadar Fatehabad, District Fatehabad.

3. I have heard the counsel for the petitioner as well as the State Counsel.

4. As per the allegations leveled in the FIR one Vikram Singh approached Fatehabad Central Co-operative Bank Limited, Branch Kukranwali to get loan of Rs.8.5 lacs. As per Vikram Singh, one Pawan Kumar, who is complainant in this case stood as a guarantor and mortgaged his land as security with the Bank. Thereafter, Vikram Singh availed the aforesaid loan amount. Subsequently,

Pawan Kumar-complainant reported to the police that he never stood as

guarantor and he never mortgaged his land, as a security with the Bank. On the basis of said complaint, FIR was registered against Vikram Singh and the concerned bank officials including the petitioner who at the relevant time was working as a Development Officer.

5. The counsel for the petitioner contended that the petitioner was not involved in any manner in the process regarding advancing of loan to Vikram Singh. At the relevant time, Dalip Singh was working as a Branch Manager in the bank, who was responsible for advancement of loan to Vikram Singh. However, said Dalip Singh has already been granted interim anticipatory bail by this Court vide order dated 18.03.2021. It has been also brought to the notice of this Court that the main accused Vikram Singh has already been released on regular bail while Anil and Pardeep have also been granted anticipatory bail. The counsel for the petitioner made prayer for grant of regular bail to the petitioner who is in custody since 22.04.2021.

6. On the other hand, the State Counsel while contesting the bail application submitted that the entire documents which are available on record establish the complicity of the petitioner who at that time was working in the concerned bank.

7. I have considered the submissions made by counsel for the petitioner and the State Counsel.

8. Admittedly, the main accused Vikram Singh who failed to repay the loan amount, is presently on regular bail. Even, the branch manager namely Dalip Singh who was responsible for sanctioning and advancement of loan to Vikram Singh has been granted ad interim anticipatory bail by this Court on 18.03.2021. It has also been brought to the notice of this Court that the petitioner retired from the service in the end of year 2020 and he was arrested on 22.04.2021. The entire documents relating to this case are in the custody of the police/bank. The petitioner being retired bank employee, I feel that no purpose would be served by

detaining him in the custody for any longer period specially during the prevailing Covid-19 pandemic.

9. Thus, without commenting upon the merit of the case, this bail application is allowed and the petitioner is ordered to be released on regular bail on his furnishing personal/surety bonds to the satisfaction of CJM/Duty Magistrate, Fatehabad. It is further directed that the petitioner should not pressurize the prosecution witnesses and is not to leave the country without the prior permission of the court concerned.

10. Accordingly, the petition is disposed of in the above terms.

(KARAMJIT SINGH)
JUDGE

08.06.2021
PC

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No