

CRM-M-26716-2021
Date of decision: 22.04.2021

.... Petitioner

Versus

.... Respondent

Coram: Hon'ble Mr. Justice B.S. Walia

Present : Mr. Harchand Singh Batth, Advocate for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through VideoConferencing due to Covid-19pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.92, dated 05.05.2019 under Section 420 IPC, registered at Police Station Patran, District Patiala.

3. Learned counsel contends that the respondent-Bank failed to get the relevant entries made in the revenue record of the land having been mortgaged with it, therefore, if the petitioner sold the said land to Jeet Singh son of Gurbaksh Singh after having availed loan he cannot be held responsible for the negligence of the Bank.

4. I have considered the submissions of learned counsel for the petitioner.

5. Admittedly, the petitioner had obtained a loan of

Rs.4,00,000/- from the Bank by mortgaging the land at Village Gulahar with the Patran Primary Co-operative Agriculture Development Bank Limited, Patran, however, after having obtained the loan in the year 2004 by mortgaging 20 kanals of land the petitioner subsequently without getting the land redeemed or for that matter repaying the loan of the bank sold the land in question to Jeet Singh son of Gurbaksh Singh resident of Gulahar on 08.08.2006 and as on 28.06.2021 a sum of Rs.7,31,081/- is outstanding against the loan availed by the petitioner. Taking into account, the aforementioned aspect of the matter especially of the petitioner having cheated the Bank by selling the land which he had mortgaged without getting the same redeemed or for that matter repaying the loan amount which as on 28.06.2021 is to the tune of Rs.7,31,081/-, no ground is made for interfering with the well reasoned order passed by learned Additional Sessions Judge, Patiala, dismissing the petition for pre-arrest bail.

7. Accordingly, finding no merit in the petition, the same is dismissed. However, nothing stated hereinabove shall be taken to be an expression of opinion on the merits of the case.

(B.S. Walia)
Judge

July 13, 2021
'AY'

Whether speaking/reasoned: Yes/No.
Whether reportable : Yes/No.