

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-29069-2021 (O&M)
Date of Decision:-4.8.2021

Kawalpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nitin Narula, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab,
assisted by ASI Harvinder Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.6 dated 13.1.2020 at Police Station Division B, District Amritsar under Sections 419, 420, 465, 467, 468, 471 and 120-B of Indian Penal Code.
2. The FIR was lodged at the instance of Sh. Shalender Mohan, Hub Manager of M/s Hinduja Leyland Finance Limited against Kanwalpreet Singh, Davinder Singh, Swaran Singh, Kulbir Singh and Charanjit Singh. It is alleged that Kanwalpreet Singh was working as a Location Manager in Amritsar on behalf of M/s Hinduja Leyland Finance Limited and was

entrusted with the job of sales and collection of commercial vehicles. For the said purpose he was required to get in touch with prospective customers and to visit and confirm their location as well as their address so as to enable the company to process their loan cases. He was required to check the genuineness of the documents furnished by the prospective customers. It is alleged that the petitioner, in connivance with his co-accused, got disbursed loan from the company on the basis of bogus and forged documents and in this manner misappropriated an amount to the tune of ₹40,59,170/- in two loan accounts in the names of Kulbir Singh and Davinder Singh. The said fraud came to notice when not even a single installment was paid by the said loanees. When efforts were made to contact the guarantor Swaran Singh, his phone was not found to be working. However, subsequently when he was traced with the help of CIBIL record, he informed that he had never furnished any guarantee in respect of grant of loan to Davinder Singh and infact did not even know him. It is further alleged that Kanwalpreet Singh infact did not even forward the original file to his superior and used to keep all the files of fake loans with him.

3. Learned counsel for the petitioner has submitted that his job was only to collect the documents on behalf of the company and that he was not responsible in any manner for conducting any verification and was not involved in the process of disbursement of loans so as to be responsible in any manner and that in these circumstances, he deserves the concession of anticipatory bail.
4. Opposing the petition, learned State counsel has submitted that it is the specific case of the complainant that it is the petitioner who was posted at Amritsar for the purpose of collection and verification of the documents of

the prospective customers/loanees and his job was to verify the properties and the residences of the parties concerned and that since it had surfaced that fake and bogus documents had been furnished in respect of two loans amounting to ₹40,59,170/-, the complicity of the petitioner is clearly evident.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case particularly the fact that it is the petitioner who was responsible for conducting verification in respect of the antecedents, credentials and properties of the prospective customers/loanees and that loans had been issued on the basis of bogus documents and he had not even forwarded the original documents to the head office, the complicity of the petitioner is clearly evident. The petition is sans merit and is hereby dismissed.

4.8.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No