

CRM-M-30959-2021 (O&M)

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

Decided on: November 22, 2021.

(1)

CRM-M-30959-2021 (O&M).

Jagdeep Singh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

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(2)

CRM-M-23398-2021 (O&M).

Gurmeet Singh alias Goldy

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

(3)

CRM-M-23884-2021 (O&M).

Simarjit Singh @ Simar Jit Singh Dhadha

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CRM-M-30959-2021 (O&M)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

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**PRESENT Mr.Veneet Sharma, Advocate, and
 Mr.Deepak Aggarwal, Advocate,
 for the petitioner in CRM-M-30959-2021.**

**Mr.Amardeep Singh, Advocate,
for the petitioner in CRM-M-23398-2021.**

**Ms.Ragini, Advocate, for
Mr.Vaibhav Narang, Advocate,
for the petitioner in CRM-M-23884-2021.**

Mr.Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

This order will dispose of the above noted three petitions filed under Section 439 of the Code of Criminal Procedure, for the grant of regular bail in FIR No.241 dated 31.12.2019, registered under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station, B-Division, District Amritsar.

Since the petitioners are accused in the same FIR, all the three cases are taken up together for adjudication and for the sake of brevity, the facts are taken up from CRM-M-30959-2021, titled Jagdeep Singh Vs. State of Punjab.

All the learned counsel for the petitioners have submitted that all the three petitioners were not named in the present FIR and it was only subsequent to registration of FIR that their names have been nominated and in fact, they are not involved in the present case. He submitted that as per the allegations contained in the FIR one Ranjit Singh got sanctioned a

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loan of Rs.30 lacs from the complainant – bank on the basis of title deed which was shown to be belonging to Smt.Rana Puri but thereafter, it was found that the property did not belong to her and even they failed to repay the loan. Learned counsel for the petitioners submitted that all the three petitioners are neither the beneficiary nor involved in the present case and after nomination the allegation against the petitioner namely Jagdeep Singh is that he helped the co-accused in opening a bank account and the allegation against Simarjit Singh is that he was a Senior Manager of the Bank who had sanctioned the loan but according to the learned counsel, he sanctioned the loan on the basis of verification of documents by the concerned agency and there is no mala fide on the part of the petitioner - Bank Manager. The allegation against petitioner Gurmeet Singh is that he had introduced the borrower to the bank.

Learned counsel for the petitioners have further submitted that be that as it may, petitioner Simarjit Singh is in custody since 19.4.2021 and petitioner Gurmeet Singh and petitioner - Jagdeep Singh are in custody since 6.4.2021. They submitted that investigation of the case is already complete and challan has been presented under Section 173 Cr.P.C. before the competent Court. They further submitted that no recovery is to be effected from the petitioners and the entire case is based upon documentary evidence. They further submitted that although the petitioners are also involved in other cases under Section 471 and 120-B IPC but the allegations in those FIRs are also similar in nature with regard to the sanction of loan in favour of some other persons by the bank and the petitioners were falsely

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implicated in those cases also. Learned counsel further submitted that trial of the case would take long time and it is triable by the Judicial Magistrate and therefore, the petitioners may be considered for the grant of regular bail.

Learned State counsel has submitted that it is correct that petitioner Simarjit Singh is in custody since 19.4.2021 and petitioner Gurmeet Singh and petitioner Jagdeep Singh are in custody since 6.4.2021. He submitted that it is also correct that investigation of the case is complete and challan stands presented. He has also not disputed that the petitioners were not named in the FIR and they were nominated later on and that all the three petitioners were not the beneficiary of the loan but allegations against them are with regard to conspiracy and conniving with the main accused.

I have heard the learned counsel for the parties.

The custody period of all the three petitioners as stated aforesaid is not disputed and it is also not disputed that after completion of investigation of the case, challan stands presented. The entire case of the prosecution is based upon documentary evidence and the present case is triable by Judicial Magistrate. Furthermore, it is not the case of the State that in case the petitioners are released on regular bail, then they may influence any witness or hamper with investigation or may flee from justice. Since the trial of the case would take long time, the petitioners are entitled for the grant of regular bail.

Therefore, considering the totality of circumstances of the present case, this Court deems it fit and proper to grant regular bail to all the three petitioners. Accordingly, all the three petitions are allowed. It is

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ordered that the petitioners shall be released on bail on furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

November 22, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No