

In virtual Court

CRM-M-34872-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34872-2021 (O&M)
Date of decision: 26.08.2021

Punjab Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.38 dated 07.05.2018 under Sections 420, 406, 465, 467, 468, 471, 120-B IPC, registered at Police Station Raja Sansi, District Amritsar.

Learned counsel for the petitioner submits that the FIR has been registered at the instance of Punjab and Sind Bank, Jagdev Kalan Branch, with the allegations that co-accused Harjinder Singh had obtained the loan by producing some fake documents and the petitioner stood as guarantor. It is further submitted that even a civil suit has been filed by the complainant-Bank for recovery of the loan amount and the petitioner being guarantor can be held liable for the liability of Harjinder Singh towards the Bank. It is also submitted

that main accused Harjinder Singh has already been granted the concession of anticipatory bail vide order dated 04.12.2019 passed in CRM-M-33377-2019.

Learned counsel for the petitioner has further submitted that during the inquiry, two other accused were found innocent and till date, challan has not been presented. It is also submitted that primarily, it is a civil dispute regarding the liability to repay the loan amount against co-accused Harjinder Singh and the petitioner being guarantor.

Learned State counsel could not dispute the factual position that co-accused Harjinder Singh has already been granted the concession of anticipatory bail.

After hearing learned counsel for the parties and considering the aforesaid submissions, this petition is allowed and the petitioner is granted the concession of anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It will be open for the Investigating Officer to issue an advance notice in writing to the petitioner, if he is required for the investigation.

[ARVIND SINGH SANGWAN]
JUDGE

26.08.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No