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

CRM-M-38513-2021

Date of decision : 16.09.2021

Saqib Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Aseem Sharma, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.620 dated 09.10.2020 registered under Sections 120-B, 406, 420, 467, 468, 471 of the Indian Penal Code, 1860 at Police Station Gurgaon Sadar.

Learned counsel for the petitioner has submitted that the photograph of the petitioner on the account form while opening the account in question has been misused. It is further submitted that the petitioner is ready to give his specimen signatures so as to compare the handwriting on the form with his specimen signatures.

This Court has heard the learned counsel for the petitioner.

As per the FIR, there are allegations that large number of persons are being duped by stating that they would be given a loan at 5% flat rate per annum and thereafter by inducing people to take loan, the processing fee of Rs.70,800/- and additional fee of Rs.10,000/- are being charged which are to be deposited in Account No.259818598994. In the present case, after the aforesaid loan was not sanctioned, the complainant person made several calls on the mobile phone number, which had been provided, but the same was coming to be switched off. It was also learnt that 50-60 other persons had also been duped in the like manner. The investigation was done and it was found that the account in question was in the name of one Neetu Chaudhary. However, when the account opening form was seen, then it transpired that the photograph fixed on the same is not of Neetu Chaudhary but is of the petitioner.

A more substantial argument has been raised on the point as to how and why the photograph of the petitioner is there on the account opening form other than the bold argument that the photograph of the petitioner has been misused. For an account to be opened, an unscrupulous person can always forge the document and also forge the signatures of others but the photograph on the form would obviously be of the person who had gone to the bank. The fact that the petitioner is ready to give his specimen signatures would also not entitle the petitioner to anticipatory bail inasmuch as a person who has forged the documents would always make an effort to change his handwriting and even the authenticity of the specimen signatures would be questionable. At any

rate, keeping in view the facts and circumstances of the case, moreso, the role of the petitioner which has come to surface in the investigation, this Court deems that the petitioner does not deserve the concession of anticipatory bail and thus, the present petition is dismissed.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

16.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No