

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

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**CRM-M-47954-2021
Date of decision: 26.11.2021**

NARENDER

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. G.S.Sidhu, Advocate
for the petitioner.

Mr. Amreek Singh Narwal, DAG, Haryana
for the respondent-State.

SANT PARKASH, J. (ORAL)

The petitioner has filed the present petition for grant of anticipatory bail to the petitioner in case, FIR No.186 dated 02.09.2021 registered under Sections 120-B, 420, 467, 468 and 471 of the Indian Penal Code, 1860 at Police Station Bhiwani Civil Lines, District Bhiwani.

The above-said FIR was registered on written complaint of Narender on the averments that accused-petitioner along with Jagdeep and Vijay Pandit in connivance with the bank officials have manipulated the documents of his land to procure loan of Rs.24,20,000/- in the year 2017 from Sarv Haryana Gramin Bank, Bhiwani. The accused-petitioner had already took loan of the said land from HDFC Bank and has committed fraud.

The petition has been opposed by the learned State Counsel in terms of reply filed by way of affidavit of Virender Singh, HPS, Deputy Superintendent of Police (HQ), Bhiwani, Haryana in the Registry which is taken on record.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case and has not committed any fraud with the Bank or any other person. The alleged loan which is shown to be taken from the Bank has been cleared and there is no due against the loan of the petitioner. The entire case of the petitioner is based on documentary evidence and the custodial interrogation of the petitioner is not at all required. The petitioner is ready and willing to join the investigation.

Opposing the contentions, learned State Counsel has vehemently argued that the custodial interrogation of the petitioner was required for thorough and fair investigation however, it has been duly conceded that the petitioner had deposited the loan amount allegedly taken on the forged documents.

After having heard and considering the factual position discussed above that the petitioner has already deposited the loan amount, the case is based upon the documentary evidence and the custodial interrogation of the petitioner is not required, the present petition is disposed of with a direction to the petitioner to join the investigation and remain present as and when called for and in the event of arrest, the petitioner shall be admitted to bail on his furnishing

personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. failing which the protection of anticipatory bail order shall not be available to him.

26.11.2021
kavneet singh

(SANT PARKASH)
JUDGE

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