

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.4375 of 2022 (O&M)
Date of Decision.03.02.2022
(Heard through VC)

Deepak Dheer

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.181 dated 25.12.2021 under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Navi Baradari, District Jalandhar.

In brief, the facts are that the aforesaid FIR was registered on the ground that employees of IDFC First Bank Ltd. had committed a fraud by giving 34 personal loans amounting Rs.1.93 lakhs based on forged employment credentials. None of the persons to whom loans had been advanced were government employees. On lodging of the FIR, investigation was done and it came forth that three employees of the bank namely Joy Thomas, Narain Jha and Aman Kumar (Sales Managers) were instrumental in disbursing loans to persons showing them to be officials of different government departments whereas the said persons were not employed in any of the departments and did not have any salary accounts.

Statement of one Balvir Kaur was also recorded (to whom the loan had been disbursed) wherein she categorically stated that Praveen Kumar, a property dealer had represented to her that he could arrange an amount of Rs.5,75,000/- on commission basis. The said Praveen Kumar sent Pratham and Deepak (petitioner herein) to get her photographs taken. They prepared her ATM card and get five blank cheques from her. After the loan was sanctioned to the tune of Rs.5,49,000/-, they encashed an amount of Rs.2,25,000/- through the blank cheque.

Learned counsel appearing on behalf of the petitioner herein vehemently argues that the petitioner has been falsely implicated in the said FIR. He, in fact, does not know Balvir Kaur nor was instrumental in getting her photographs taken and blank cheques signed from her. It is also contended that though he knows Praveen Kumar, he has no dealings with him nor with any of the three bank officials, who were instrumental in disbursing the loan. He is ready to join investigation and also making good the amount of Rs.2,25,000/- alleged to have been taken by him.

Learned counsel appearing on behalf of the respondent-State opposes grant of anticipatory bail to the petitioner by contending that custodial interrogation of the petitioner would be required to unearth the *modus operandi* as to how the alleged forged documents were prepared on the basis of which loans were obtained by the petitioner in connivance with three officials of the bank named in the FIR.

I have heard learned counsel for the parties. The allegations levelled against the petitioner are serious in nature where public money is being siphoned into personal accounts of persons like petitioner herein in the shape of commission being taken for facilitating loan facilities to the

individuals in connivance with bank officials. The nexus between persons like the petitioner herein and the bank officials, who are instrumental in facilitating the loan consideration to the individuals on the basis of forged documents is required to be bursted. It seems a financial scam being run by an organized group in connivance with bank officials and therefore, in order to unearth its ramifications, custodial interrogation of the petitioner would be required. No ground is made out to grant anticipatory bail to the petitioner. Consequently, the instant petition stands dismissed.

(JAISHREE THAKUR)
JUDGE

February 03, 2022
Pankaj*

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