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

CRM-M No.12761 of 2022 (O&M)

Date of decision: 31.03.2022

Neeru Kapoor

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Harlove Singh Rajput, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Ashish Aggarwal, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.70 dated 26.03.2021 registered under Sections 420/120-B IPC at Police Station Civil Lines, Amritsar.

Counsel for the petitioner has argued that the FIR was registered at the instance of one Jagdeep Singh with the allegations that on 04.03.2016, a property bearing House No.4, Madan Mohan Malviya Road, Amritsar, was auctioned by the Court, which was owned by Mohit Nanda and Sanjiv Kapoor. The property was auctioned as the loan taken by them could not be repaid. It is further the allegations in the FIR that despite the property having been purchased by the complainant in the year 2016, the petitioner Neeru Kapoor, has again raised a loan in the year 2018 from Punjab Gramin Bank, to the extent of Rs.30.00 lacs by concealing the fact that they are no more owner as the property already stood transferred in the name of the complainant.

The only argument raised by counsel for the petitioner is that a civil suit challenging the judgment and decree dated 05.06.1997 is pending, however, it is not disputed that the petitioner has raised a loan of Rs.30.00 lacs from Punjab Gramin Bank.

Counsel for the State assisted by counsel for the complainant has submitted that by concealing the aforesaid facts mainly that neither the petitioner nor her husband are owners of the property and after it was again sold in the year 2018, the petitioner Neeru Kapoor, has again raised a loan of Rs.30.00 lacs from Punjab Gramin Bank, reflects that in a pre-meditated manner, the accused persons have obtained the loan. Counsel for the State has also submitted that a notice under Section 42(2) of Cr.P.C., was served to the accused on 03.03.2021 and even, after registration of the FIR on 26.03.2021 the petitioner has never come forward and now the petitioner – Neeru Kapoor has filed the present petition.

In view of the above, considering the serious allegations against the petitioner, I find no ground to grant the concession of bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

31.03.2022
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No