

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102

CRM-M-14960-2022

Date of Decision:08.04.2022

Rajbir Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Sube S. Kaushik, Advocate,
for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

VINOD S. BHARDWAJ , J.(Oral)

The petitioner has approached this Court for grant of anticipatory bail in case FIR No.532 dated 25.11.2020 under Sections 120-B, 419, 420, 467, 468, 471 IPC, registered at Police Station Jind City, District Jind.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is an illiterate person and was not aware of the consequences of his acts. He further contends that he is not the beneficiary in the said transaction and that other similarly placed co-accused/officials of the petitioner have already been enlarged on bail by the trial Court.

A bare perusal of the FIR shows that the petitioner had obtained loan from the complainant-Bank in the name of his mother, who was already dead. It is also apparent that the petitioner induced the bank officials to take

over the loan which was already operating against the mortgaged property and induced the bank officials to believe that the signatures appended on the documents of loan are appended by his mother. The application for transfer of loan was processed by the Bank and a sum of Rs.10,47,000/- was disbursed vide cheque No.00356 dated 24.07.2020 to the leading Bank towards discharge of loan liability of the petitioner against his loan account. It cannot thus be said that the petitioner is not the beneficiary in the transaction as he has received the amount to his credit in the loan account. It has further transpired that the petitioner is a habitual offender and three other similar FIRs have been registered against him.

It cannot be believed that the petitioner was not aware of the consequences of his act. Rather, it is a deliberate execution of a thought out plan to commit cheating. Ignorance of the petitioner is also not supported from the circumstances. His continuous involvement in similar offences only shows that he has acted in a well planned manner and succeeded to obtain huge loan against the said property in the name of a dead person.

The instant petition is accordingly dismissed.

April 08, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No