

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I)

CRM-M-29970-2021 (O&M)

Date of Decision:- 17.3.2022

Simarjit Singh @ Simar Jit Singh Dhadha ... Petitioner

Versus

State of Punjab ... Respondent

(II)

CRM-M-26580-2021 (O&M)

Jagdeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

(III)

CRM-M-30571-2021 (O&M)

Gurmeet Singh @ Goldy ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sumit Jain, Advocate, for the petitioner
in CRM-M-29970-2021.

Mr. Veneet Sharma, Advocate, for the petitioner
in CRM-M-26580-2021.

Mr. Amardeep Singh, Advocate, for the petitioner
in CRM-M-30571-2021.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Palwinderjeet Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned three petitions wherein petitioners Simarjit Singh @ Simar Jit Singh Dhadha, Jagdeep Singh and Gurmeet Singh @ Goldy, seek grant of regular bail in a case registered vide FIR No. 92, dated 22.6.2019, Police Station Cantonment, District Amritsar, under Sections 419, 420, 465, 467, 468, 471, 120-B IPC.
2. The FIR in question was lodged at the instance of Mr. Rakesh Kumar, Branch Manager, Bank of India, East Mohan Nagar Branch, Amritsar, wherein it is alleged that a loan of Rs.30 lakhs had been raised by Jagtar Singh (real name Davinder Singh) wherein Surinder Singh had appeared as a guarantor. The draft in respect of Rs.30 lakhs had been issued in favour of Paraminder Kaur, the alleged owner of the property which Jagtar was to purchase. It is the case of prosecution that the entire loan had been raised on the basis of forged and fabricated documents and upon inquiry Parminder Kaur in whose favour the cheque had been issued could never be found anywhere whereas a bank account in her name had been opened in Punjab National Bank, Majitha Road, Amritsar. It is further the case of prosecution that Simarjit Singh @ Simar Jit Dhadha was working as a Bank Manager in Bank of India from where the loan had been raised

and was hand in gloves with the co-accused and intentionally overlooked the fact that forged and fabricated documents had been furnished by the accused for the purpose of raising the loan. It is further the case of prosecution that Jagdeep Singh who is owner of the premises where Punjab National Bank, is situated wherein the draft in question had been deposited had facilitated the raising of loan on the basis of forged and fabricated documents and was constantly in touch with Simarjit Singh. It is further the case of prosecution that petitioner-Gurmeet Singh was also conniving with the other co-accused for the purpose of forging and fabricating documents and for arranging and projecting false witnesses and had ultimately facilitated withdrawal the amount of Rs.30 lakhs from the bank account opened in the name of Parminder Kaur, whereas no such person by the name of Parminder Kaur has been traced by the police.

3. Learned counsel for the petitioners have submitted that the petitioners have falsely been implicated in the instant case and were nowhere named in the FIR and have been nominated on the basis of disclosure statements. It has further been submitted that petitioners in any case have been behind bars since the last about 1 year and since conclusion of trial is likely to consume time, the petitioners deserve the concession of bail.
4. On the other hand, learned State counsel has submitted that the petitioners are involved in several such cases and had defrauded bank to the tune of more than Rs.1 crore by way of various loan transactions. It has been informed that although challan has been

presented, but charges are yet to be framed and as many as 20 PWs have been cited.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioners have been behind bars for a substantial period of more than 1 year and cannot be said to be direct beneficiaries of the loan amount and while also noticing that the conclusion of trial is likely to consume time inasmuch as the trial has not even commenced till date and 20 Pws have been cited, further detention of the petitioners will not serve any useful purpose. The petitions, as such, are accepted and the petitioners are ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. A photocopy of this order be placed on the file of each connected case.

17.3.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No