

CRM-M-30618-2022

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

CRM-M-30618-2022

Date of decision:18.07.2022

Amandeep

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Karan Nehra, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.119 dated 30.09.2018, registered at Police Station City Jalalabad, District Fazilka, under Sections 420, 465, 467, 468, 471 and 120-B IPC.

Learned counsel for the petitioner contends that M/s Rishab Rice Mills had been in existence since 2010; that Subash Chander, Sanjeev Kumar and Sunil Kumar were the partners in the said firm; that it was on 25.12.2012, Subash Chander and Sunil Kumar retired from the partnership firm and Naresh Kumar and Surinder Kumar, being partners, joined the firm; that the petitioner and one Raman Josan became partners in the said firm on 11.08.2014; that the alleged fraud was committed on 03.06.2014 by forging a 'No Due Certificate' issued by the SBI and further fraudulently getting the property redeemed, vide rapat No.609 dated 14.06.2014; that at the time of the availing the loan or the alleged fraud, the petitioner was not part of the firm and he had joined the firm later on, and that the petitioner is

a himself a victim at the hands of the subsequent purchasers.

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I have heard the learned counsel for the petitioner.

As per the case of the prosecution, the above-noted FIR was got registered by the Chief Manager, SBI; that M/s Rishab Rice Mills had availed a CC Limit of Rs.6 crore and Term Loan of Rs.2.70 crore, from the bank on 11.12.2010 and entry in this regard had also been made in the revenue records. However, the accused in connivance with each other had managed to redeem the land from the revenue authorities and further sold the same.

The CC Limit of the firm was renewed on 28.03.2015 and the account of the firm turned NPA on 28.06.2016 and the mortgagor had fraudulently vacated the bank charge from the revenue records by submitting forged bank letter. Thus, the contention of learned counsel for the petitioner that the petitioner had joined the firm after the loan was availed, is of no help to him.

Keeping in view the nature and gravity of the offence, but without going into the merits of the case, this Court finds that the petitioner does not deserve the concession of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

18.07.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No