

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

CRM-M-36613-2022

Date of Decision: 29.11.2022

RAJNI SOOD

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Vipul Babuta, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

Through instant petition under Section 438 of Code of Criminal Code, 1973, the petitioner is seeking anticipatory bail in FIR No.0130 dated 13.07.2022 registered at Police Station Sadar Ludhiana, District Ludhiana under Sections 406, 420, 467, 468, 471, 120-B and 34 IPC.

The allegations against the petitioner and co-accused is that they have borrowed gold loan from Canara Bank against gold. The Bank official after extending loan of Rs.1,16,64,158/- got verified contents of gold mortgaged by the petitioner and co-accused. The Bank officials on verification found that gold jewellery is fake. The alleged articles are not made of gold and petitioner as well as other co-accused have cheated the Bank.

Learned counsel for the petitioner on being confronted with order of Co-ordinate Bench of this Court dated 17.11.2022 passed in CRM-M-39873-2022 whereby bail of co-accused has been dismissed, attempted to submit that petitioner is on different footing as loan borrowed by petitioner was Rs.5 lakhs whereas total money borrowed was Rs.1.16 crore. The petitioner was not present at the time of re-

appraisal of gold articles in question. There is difference in weight as determined at the time of lending money vis a vis re-appraisal.

Learned State counsel on instruction from ASI Major Singh submits that there is no difference in facts of the petitioner vis a vis other co-accused. The question of presence of petitioner has already been examined by this Court in the case of co-accused Ashish Goyal. The re-appraisal took place in the Bank and entire process was captured in CCTV camera installed in the Bank premises.

With respect to difference of weight, learned counsel for the State submitted that matter is under investigation and there is possibility of involvement of other persons.

The petitioner has committed an economic offence and it is settled proposition of law an accused of economic offence cannot be extended concession of anticipatory bail like an accused of any other offence.

A Co-ordinate Bench of this Court in the case of co-accused namely Ashish Goyal in CRM-M-39873-2022 has already considered all the arguments as are raised by the learned counsel for the petitioner.

This Court does not find any reason to form any opinion contrary to order dated 17.11.2022 passed by a Co-ordinate Bench in CRM-M-39873-2022.

The petition is accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

29.11.2022

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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>

