

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

CRM-M-11531-2023

DATE OF DECISION:-09.03.2023

Lakhwinder Singh

...Petitioner.

Vs.

State of Punjab

...Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. M.S. Viridi, Advocate,
for the petitioner.

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner, in case FIR No.0010 dated 07.01.2023, under Sections 420, 120-B IPC (Sections 465, 467, 468, 471, 474 and 477-A IPC added later on) registered at Police Station City Gurdaspur, District Gurdaspur.

As per the allegations in the FIR, the petitioner, who was employed as Product Executive with the complainant-company, by forging documents like Aadhar Card, Pan Card, banking details etc., created loan accounts and defrauded the complainant-company for around Rs.35-40 lakhs.

Learned counsel for the petitioner submits that the present case is based upon documentary evidence and the entire record lies with the complainant-company and thus, no recovery is to be effected from the petitioner, who is even otherwise ready to join the investigation.

On the other hand prayer made has been opposed at the instance

of Mr. Tarun Aggarwal, Sr. DAG, Punjab assisted by Mr. Vinod Kumar Arya, Advocate, who appeared on behalf of the complainant.

I have heard learned counsel for the parties and have gone through the paper book, but I did not find any substance in the submissions made on behalf of the petitioner.

The petitioner, who was employed as a Product Executive with the complainant-company misused his official position having cheated the complainant by using fake, forged and fabricated documents for the purpose of creating loan agreements for misappropriating loan accounts, thereby causing substantial loss to the complainant-company. The petitioner even breached the trust of the complainant-company i.e. his employer and everything had been done in collusion with his other co-accused, which thus calls for his custodial interrogation as he may hamper the progress of investigation.

Considering the nature and severity of the allegations levelled against the petitioner, this Court is of the considered view that no case is made out for grant of pre-arrest bail to him.

Accordingly, the present petition is dismissed.

09.03.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No