

105 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21761-2023
Decided on : 01.05.2023

Ranjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. L.S.Mann, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

1. Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.69 dated 28.03.2023 under Sections 420, 465, 467, 468, 471, 408 and 120-B IPC registered at P.S. City Kapurthala District Kapurthala.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the FIR in question and made a scapegoat. Learned counsel submits that the petitioner, who was working as an Assistant Manager with HDFC Bank, Kapurthala, in fact had no role whatsoever to play in the crime in question and instead it was his colleague i.e. co-accused Avneet Kaur, who had carried out all the transactions with respect to the offences in question. Learned counsel further submits that said Avneet Kaur not only asked the petitioner to open the bank account in the name of the complainant and his wife but had also provided all the various relevant documents including Pan Card, Voter Card etc. of complainant and his wife. In support of his submissions, learned counsel has drawn the attention of this Court to the various whatsapp chats, which are annexed as

Annexure P-3, between the petitioner and co-accused Avneet Kaur. Learned counsel thus, submits that there was no manner of doubt that it was at the request of co-accused Avneet Kaur, all the required documentation, had been carried out, which was approved by the bank Manager and it was only thereafter that even the banking kit had been received by co-accused Avneet Kaur. It has further been submitted that even otherwise, the basic ingredients to attract the mischief of offences under Sections 420, 465, 467, 468, 471 IPC are not made out as neither any wrongful loss had been caused to the complainant or his wife nor had they been deceived in any manner whatsoever.

3. Heard learned counsel for the petitioner and perused the relevant material available on record.

4. *Prima facie* there are serious allegations levelled against the petitioner of having misused the IDs, and forged relevant documents of the complainant and his wife and thereafter opened their fake account in the HDFC Bank. Reliance placed upon whatsapp chat (Annexure P-3) cannot be delved into at the stage of deciding an application under Section 438 Cr.PC.

5. As an upshot to the above, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

01.05.2023
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No