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

CRM-M-24421-2023
Decided on:-22.05.2023

Gurvinderbir Singh Sodhi ....Petitioner..

vs.

State of Punjab ....Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Harmanjit Singh Thiara, Advocate
for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab with
Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Saurav Bhatia, Advocate for the complainant.

Mr. Gourav Goel, Standing counsel for
Central Bank of India.

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HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail in FIR No.10, dated 12.01.2023, under Sections 420, 406, 465, 466, 468, 471 and 120-B IPC, registered at Police Station B Division, Amritsar, District Amristar.

2. As per allegations levelled in the FIR, petitioner allured the complainant and defrauded him of huge amount on the pretext of settling his loan account with the lender bank i.e. Central Bank of India, Branch Office Hall Bazar, Amritsar.

3. Learned counsel for the petitioner submits that for the purpose of settling the loan account, a sum of Rs.15,00,000/- received from the

complainant was deposited with the Andheri East Branch, Central Bank of India, Mumbai, vide two receipts dated 27.10.2022 and 22.11.2022 (Annexure P-1), however, the loan could not be settled as there were certain other amounts due towards the borrower. He further submits that in fact no fraud has been committed by the petitioner as entire amount received from the complainant already stands deposited with the Bank.

4. On the other hand, Mr. Ferry Sofat, Additional Advocate General, alongwith Mr. Tarun Aggarwal, Senior Deputy Advocate General, Mr. Gaurav Goel, Standing counsel for Central Bank of India and Mr. Saurav Bhatia, Advocate representing the complainant submit that in fact no such amount as shown vide receipts dated 27.10.2022 and 22.11.2022 appending along with the petition has been deposited with the Central Bank of India, Andheri East Branch, Mumbai and even the aforesaid receipts do not belong to the Central Bank of India, but the same are result of forgery on the part of the petitioner.

5. Learned counsel representing the Bank has also produced correspondence dated 18.05.2023 and 19.05.2023, besides two documents dated 16.05.2023, out of which one is affidavit of Mr.Lavlesh Kumar, Branch Manager, Central Bank of India, B/o Hall Bazar, Amritsar and other one is relevant extract of statement of account of one Ms.Jeevanjot Kaur. All the aforesaid documents are taken on record as Mark "A" to "D".

6. I have heard learned counsel for the parties and have gone through the paper book, I am unable to find any substance in the submissions made on behalf of the petitioner.

7. As per the paper book, petitioner deposited Rs.15,00,000/-

received from the complainant with the Central Bank of India, Andheri East Branch, Mumbai vide two receipts dated 27.10.2022 and 22.11.2022, however, as per the records provided by the Bank, no such amount was ever deposited either with the Andheri East Branch, Mumbai or the branch at Hall Bazar, Amritsar. Even no such deposit has been reflected either in the loan account of the complainant or in any other sundry account. In view of the aforesaid, there appears to be an effort made by the petitioner to even play tricks with the Court by appending the receipts, which have totally been denied by the respondent-Bank of Andheri East Branch, Mumbai through its letter dated 18.05.2023 (Mark "C"), followed by certificate dated 19.05.2023 (Mark "D") issued by the Central Bank of India, B/o Hall Bazar Amritsar supported by an affidavit dated 16.05.2023 (Mark "A") under the signatures of Mr. Lavlesh Kumar, Branch Manager, Central Bank of India B/o Hall Bazar, Amritsar. Even, learned counsel appearing on behalf of the Central-Bank of India, B/o Hall Bazar, Amrisar, on instructions from Mr. Lavlesh Kumar, Branch Manager, Central Bank of India B/o Hall Bazar, Amritsar has supported the veracity of the contents of all these documents Mark "A" to "D".

8. From the discussion made herein above, it appears that the present petitioner tried to obtain benefit by appending, apparently the forged and fabricated documents before this Court besides having played fraud upon the complainant to a sum of Rs.15,00,000/-. Thus, considering the nature of allegations levelled against the petitioner and the manner in which the offence has been committed, I do not deem it appropriate to grant the concession of anticipatory bail to the petitioner as the same would definitely

hamper the course of investigation.

9. Accordingly, the present petition is dismissed.

22.05.2023 **(HARKESH MANUJA)**
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/ No