

205 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-6259-2024 (O&M)
Date of Decision: 19.04.2024

Jagbir Singh

..... Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Parveen Sharma, Advocate for
Mr. Pankaj Bali, Advocate,
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

Mr. Jigerjeet Singh, Advocate for
Mr. Akaant K. Mittal, Advocate,
for respondent No.2.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for seeking pre-arrest bail in FIR No. 485 dated 13.11.2021 registered under Sections 406, 418, 420, 467, 468 and 471 IPC, at Police Station, Taraori, District Karnal.

2. Allegations are that accused have obtained loan of Rs.22,90,000/- from Union Bank of India, G.T. Road, Taraori on the basis of forged and fabricated documents. Petitioner is alleged to have received commission of 27% from the beneficiary for sanction of the loan as well as forged Jamabandi for the year 2012-13 by substituting the name of accused Arvind Kumar in place of original owner Sukhpal. Also alleged that petitioner has forged report of Advocate Surinder Chug.

3. Learned counsel contends that petitioner was not named in the FIR; rather nominated on the basis of disclosure made by co-accused Arvind

Kumar. Also contends that petitioner is not the beneficiary; rather main accused is Arvind Kumar and he has already been arrested.

4. *Per contra*, learned State counsel, while opposing the prayer, submits that petitioner is facing two other cases of similar nature; thus, his custodial interrogation would be required to know the *modus operandi*.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that apart from the present FIR, petitioner is involved in two other cases of similar nature and which are as under:-

<i>Sr. No.</i>	<i>FIR NO.</i>	<i>Under Section</i>	<i>Police Station</i>
1.	486 dated 13.11.2021	406, 418, 420, 467, 468 & 471 IPC	Taraori
2.	487 dated 13.11.2021	406, 418, 420, 467, 468 & 471 IPC	Taraori

7. In view of the above, it is apparently clear that petitioner is habitual offender and as such, his custodial interrogation would be required to know the true facts. Thus, there is no option, except to dismiss the petition.

9. Ordered accordingly.

10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

11. Pending criminal misc. application(s), if any, shall also stand disposed off.

19.04.2024
SN/v

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No