

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-9754-2024
Date of Decision:05.04.2024

DINESH KUMARPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Shubham Goyal, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
assisted by SI Rejender Singh.

DEEPAK GUPTA, J.(ORAL)

On 28.02.2024, following order was passed:

“By way of present petition under Section 438 Cr.P.C., petitioner prays for grant of pre-arrest bail in a case arising out of FIR No.09 dated 20.01.2023, under Sections 420, 465, 467, 468, 471 and 120- B of IPC, registered at Police Station Sultanpur Lodhia, District Kapurthala.

FIR was lodged on the complaint of Satnam Singh, as per which the land in dispute was in the name of his two sons, namely, Baljit Singh and Sarabjit Singh. Both of them are residing abroad since long time. Complainant found that by mortgaging the land of his sons, an amount of ₹12,10,000/- from Axis Bank, Lohian had been taken. Similarly, the loan of ₹12,25,000/- was taken by mortgaging the land of another son Sarabjit Singh. During that period sons of the complainant had never come to India nor had ever obtained any loan. The loan was taken by creating forged and fabricated documents in connivance with the bank authorities.

Learned counsel for the petitioner contends that petitioner is an employee of Punjab and Sind Bank, Lohian and had joined the bank on 26.10.2020. His duty was confined only to visit the property to be mortgaged with the bank alongwith the Branch Manager. Learned counsel contends further that he is not the beneficiary of any of the loan amount. He also contends that similarly placed co-accused Sandeep Singh and Deepak Kumar have already

been granted the benefit of anticipatory bail by this Court vide orders dated 15.05.2023 and 20.11.2023 (Annexures P2 and P-3 respectively).

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Adjourned to 05.04.2024 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions from SI Rejender Singh submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 28.02.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

05.04.2024

pry

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No