103

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

CRM-M-20013-2024
Decided on: 23.04.2024

Jasminder Singh .... Petitioner

versus

State of Punjab .... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amandeep Singh, Advocate
for the petitioner.

Mr. Sherry K. Singla, Advocate
for complainant.

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<u>Manjari Nehru Kaul, J. (Oral)</u>

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.99 dated 31.07.2023 under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station Jhabal District Tarn Taran.

2. Learned counsel for the petitioner has *inter alia* argued that a careful examination of the allegations levelled against the petitioner in the FIR clearly reveals his innocence; no such offence as alleged has been committed by the petitioner, which is further evident from the unexplained delay of 18 months in the filing of the FIR in question (Annexure P-1). Additionally, it has been asserted by the learned counsel that the petitioner was holding the position of Assistant Manager in the respondent/complainant bank, with responsibilities limited to conducting only physical verifications of the properties for the purpose of loans'

approvals, while the sanctioning authority for the loans rested with the Bank Manager.

It has been further submitted that in fact present case is a retaliatory measure stemming from the complainant bank's animosity towards the petitioner. Learned counsel has submitted that in the circumstances, it is abundantly clear that the petitioner has been falsely implicated in the present case, however, he is still ready and willing to join investigation and cooperate with the investigating agency.

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

4. As per allegations levelled in the FIR in question, on the basis of forged and fabricated documents pertaining to the ownership of land i.e. *jamabandi, khasra girdawari*, the co-accused availed huge amount of loan in the sum of Rs.22 lacs; after the co-accused failed to repay the monthly installment, the complainant bank realised that all the documents, which had been furnished at the time of availing the loan, were bogus documents. Physical verification, which was a critical requirement and which was to be conducted before extending the loan, had to be carried out by the petitioner, however, all the accused including the petitioner and other bank employees connived together and played a huge fraud upon the complainant-bank.

5. There are serious and specific allegations against the petitioner, which are *prima facie* substantiated with documentary evidence collected after the registration of FIR in question.

6. In the circumstances and the role attributed to the petitioner in

the crime, he does not deserve the extra-ordinary concession of anticipatory bail. Accordingly, the present petition stands dismissed.

23.04.2024 **(MANJARI NEHRU KAUL)**
sonia **JUDGE**

Whether speaking/non-speaking? Yes/No
Whether reportable? Yes/No