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GIRISH KATHPALIA



2026:DHC:2105



3. In furtherance of last order, learned APP instructed by SI Ranveer submits that despite last order, the accused/applicant has not joined investigation. It is submitted by learned APP that by way of order dated 26.07.2024, the accused/applicant was granted interim protection from arrest by the predecessor bench subject to his joining investigation, but he did not join investigation till 20.12.2025 and thereafter, again stopped joining. The allegation against the accused/applicant is that he forged certain bank guarantees.

4. In the first call today, matter was passed over at request of learned counsel for accused/applicant. In this second call I have heard learned counsel for accused/applicant and learned APP for State.

5. Broadly speaking, the allegation against the accused/applicant is as follows. In the year 2019-20, the complainant *de facto* was awarded certain contracts by UP Jal Nigam and for each contract, towards security a bank guarantee of 10% of contract value was to be submitted. The accused/applicant approached the complainant *de facto* representing himself on behalf of a private limited company and offered his services to arrange the guarantees at a service fee of 10% on each such guarantee from Indian Overseas Bank against the credit facilities extended to his company by that bank. In all, the accused/applicant delivered nine bank guarantees to the complainant *de facto*, for which the complainant *de facto* paid him a sum of Rs.55,80,610/-. But subsequently, the complainant *de facto* was informed by the UP Jal Nigam that those nine bank guarantees were fake and forged. Hence, the FIR was registered.

BAIL APPLICATION 2612/2024

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6. Against the above backdrop, it is contended by learned counsel for accused/applicant that he has been joining investigation regularly as and when directed by the IO. It is also submitted by learned counsel that the accused/applicant himself is a victim, who was not paid for the cost of the furnace oil supplied by him to the co-accused. No other argument has been advanced.

7. Learned APP for State submits that the dispute of furnace oil is between the accused persons *inter se* and has no connection with the forged bank guarantees furnished by the accused/applicant to the complainant *de facto*. As regards joining the investigation, it is contended by learned APP for State that despite protection from arrest, granted to the accused/applicant vide order dated 26.07.2024, he did not join investigation till December 2025 when last opportunity was given to him by this Court. In this regard, learned APP for State has also taken me through previous orders of the predecessor benches in support of his submission that after getting interim protection, the accused/applicant kept getting the matter adjourned on one or the other reason. It is submitted by learned APP for State that the investigation involving the accused/applicant and the co-accused still remains pending because the accused/applicant from Chennai joined only twice or thrice and thereafter, has not been coming. It is submitted that custodial interrogation is required to unearth the manner in which the forgery of bank guarantees was carried out.



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8. Keeping in mind the nature of offence and requirement of custodial interrogation to unearth the manner of the alleged forgery of bank guarantees, I do not find it a fit case to grant anticipatory bail to the accused/applicant.

9. Therefore, the anticipatory bail application as well as pending application are dismissed.

10. The accused/applicant is directed to surrender before the IO/SHO concerned within three days from today.

**GIRISH
KATHPALIA**

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**GIRISH KATHPALIA
(JUDGE)**

MARCH 13, 2026/as