CC 11116/2026

ORDERS ON 338(2) r/w 18(8) OF BNSS APPLICATION FILED BY THE STANDARD CHARTERED BANK AND IMPLEADING APPLICATION AND MEMO OF INTERVENTION TO THE BAIL APPLICATION OF ACCUSED NO. 1 FILED BY THE STANDARD CHARTERED BANK DATED 01-04-2026

This order arise out of the applications and memo of intervention and impleading application filed by the Standard Chartered Bank U/Sec. 338(2) r/w 18(8) of BNSS, in said applications Standard Chartered Bank stated that he is victim in this case so, as per section 2(Wa) of the Cr.P.C he has right to apposed the bail application filed by the Accused no. 1 and there is grave financial and economic offences committed by the Accused no. 1 against the bank, so the said bank has got every right to implead in this case and apposed the bail application.

2. Per contra, the Ld.Sr.APP and defecto complainant submits no objections to the application of bank, but Accused has filed objections to the application of Standard Chartered Bank in which he dined the entire contents of application of the bank and stated that he has no local standi to participate in the criminal case proceedings by way of impleading application because, as per the FIR, Standard Chartered Bank also Accused no. 2 so, Accused no. 2 can not act as victim in this case and to escape from the criminal liability he making attempt the take the shelter of the court in the name of victim and Standard Chartered Bank official also involved in the alleged transaction as such prays to

dismiss the applications filed by the Standard Chartered Bank.

3. Heard both sides.

4. The following points arise for my consideration:

1. Whether the Standard Chartered Bank made out sufficient grounds to implead and participate in the case proceedings on capacity of victim?

2. What order?

5. My findings on these points is as follows:

Point No.1:-In the Negative.

Point No.2:-As per the final order for the following:

<u>REASONS</u>

<u>6. Point No.1</u>: admittedly the complainant police have registered the case against Accused for the offences P/U/Sec. 409, 465, 468, 471 of IPC. Further admittedly as per the FIR that too in persuance of the complainant given by the Sharathchandra Churukhandi the complainant police have included the bank official of Standard Chartered Bank MG road branch as Accused no. 2, further admittedly Accused no. 1 is in JC.

7. Further during the course of arguments Ld.Sr. Counsel for Accused argued that absolutely Standard Chartered Bank has no right to implead in this case on capacity of victim because, as per the FIR bank officials and all high level officers of the bank have included in the alleged crime, so to escape the said higher officials with conclusion of police only Accused no. 1 has arrayed in this case and he is only employer in the Standard Chartered Bank and for every rupee of the bank amount transfer from one branch to another there are several sections to the bank so Accused no. 1 alone is not a sole person

to transfer the 88 crores of alleged amount and charge sheet has been already filed by the IO and there is no investigation is pending and prays to dismiss the application filed by the Standard Chartered Bank, counsel also filed written arguments.

8. On the other hand Ld. Sr. counsel Sri. PP Hegde for Standard Chartered Bank argued that the Accused being a employer cheated the Standard Chartered Bank for an amount of Rs. 88 crores something and he caused economical loss to the Standard Chartered Bank and some deposits directly to taken by the Accused no. 1 and transfer to his wife, children and father accounts and the Standard Chartered Bank also victim in this case and he has right to participating in the case proceedings to apposed the bail application.

9. Counsel also relied upon ruling reported in (2022) 9 SCC 321 between Jagjeethsingh and other persons Ashish Mishra alias Manu and another and as per the the ratio of the Hon'ble Supreme court, Ld. Sr. Counsel argued that the Standard Chartered Bank being a victims as right to participate in the criminal proceedings and there is no specific and direct provision under law to the victims though as per the ruling in Para no. 35 the victims have got direct right to impleading in the criminal case proceedings. Because the victims right are inbuilt in every criminal cases and prays to allow the application filed by the Standard Chartered Bank.

10. Of course Ld. APP and defecto complainant submits no objections to the application filed by the Standard Chartered Bank.

11. Further on perusal of FIR and other prosecution papers and arguments address by the Ld. Sr. Counsel for Accused and Standard Chartered Bank, as stated supra, as per the rulings of Hon'ble Supreme court rendered in Jagjeetsingh and another case it is settled principle of law that every victim has got absolute right to implead as well as participate in the criminal case proceedings if she requires including to appose the bail application filed by the Accused,so the said ratio of Hon'ble Apex court strengthen by the Ld. Sr. counsel in PP Hegde arguments. But here in this case as per the FIR contents and complaint avarements the complainant made allegations against the officials of the Standard Chartered Bank that too he seek the action against Accused no. 1 relationship

manager and other bank officials of Standard Chartered Bank, so in view of the complaint made by the complainant, the complainant police have mentioned the Standard Chartered Bank as Accused no. 2 in colum no. 6 of the FIR, so once the police nor complainant have made allegations against one particular person with regard to involvement of his role in criminal activities, the law does not permit to threat the Accused nor the accusation person as victim of the case, In case the courts may treat the Accused as victims then definitely the orders of the said court given right to the Accused and the role of said Accused may very in the investigation process and it caused some disadvantages to the persons actually who are suffered out of the acts of the Accused, here in case also the Standard Chartered Bank has not satisfied the court and made out sufficient substantial grounds to implead and to accord permission to participate in the case proceedings because, as stated supra as per the complaint and other case papers there is direct allegations against bank officials of Standard Chartered Bank with regard to the commit of cheating and criminal breach of trust so, once there is an allegations against Standard Chartered Bank in complaint and other papers definitely the Standard Chartered Bank is not entitle for any reliefs as per his applications and he has not satisfied the court nor make out sufficient grounds to alow in the case proceedings.

12. Of course during the course of arguments defecto complainant counsel filed memo

with ruling reported in 2026 SCC online 211 between Rakesh Mittal V/s Ajay pal Guptha alias Sonu Chowdary and others in which the Hon'ble Supreme court held that where the Accused have committed on offence of sever in nature then they are not entitle for bail on principle of personal liberty that too in case of large financial frauds.

13. So, inview of the offer said reasons I am of the opinion that the application filed by the Standard Chartered Bank and argument address by the counsel have not supportes in this case and also the applications deserves to be dismissed. Hence, I answer point No.1 in the negative.

14. <u>Point No.2</u>: For the reasons stated above, I proceed to pass the following:

<u>O R D E R</u>

The applications filed by the Standard Chartered Bank U/s. 338(2) r/w 18(8) of BNSS for impleding applications and Memo of intervention are hereby **DISMISSED**. For reply on bail application at 03.00 pm.

I ACJM, Bengaluru