

IN THE COURT OF MS. RANA KANWARDEEP KAUR CHAHAL,
ADDITIONAL SESSIONS JUDGE, KAPURTHALA. (UID-PB00223).

CNR No. PBKP010045972024



Case No. BA/1905/2024

Presented on : 13-09-2024

Registered on : 16-09-2024

Decided on : 07-10-2024

Parminder Pal Singh Bedi, s/o Sukhvir Pal Singh Bedi, aged about 52 years, r/o Plot No.14, First Floor, Meenakshi Garden, Tilak Nagar, West, Delhi.

...Applicant/accused.

Versus

State of Punjab

....Respondent

FIR No.0098 of 26.07.2024,
Under Sec. 465, 467, 468, 471 of IPC,
Police Station Satnampura, District Kapurthala.

[Application for Bail U/s 482 of BNSS]

Present: Shri Sandeep Kumar, Advocate, for applicant/accused.
Sh.APS Dhillon, Addl. PP for the State.
Sh.Rajiv Puri, Advocate for complainant.

ORDER:-

1. Above named applicant/accused has filed this bail application under Section 482 of BNSS in a case FIR No.0098 of 26.07.2024, under sections 465, 467, 468, 471 of Indian Penal Code, registered at Police Station Satnampura, District Kapurthala.

Rana Kanwardeep Kaur Chahal
ASJ/Kapurthala
Dated 07.10.2024

2. Upon notice, Sh.APS Dhillon, Additional Public Prosecutor appeared on behalf of State.

ARGUMENTS OF LD.COUNSEL FOR APPLICANT/ACCUSED:

3. The learned counsel for the applicant/accused has argued in the lines of bail application. He has submitted that applicant is law abiding citizen and he never committed any offence. The contents of present are totally false one. The applicant never committed any offence, as mentioned in the FIR. The alleged agreement dated 02.05.2011 was executed between applicant and Kiran Bhanot with their mutual consent. However, in order to escape from the SARFAESI proceedings, Kiran Bhanot requested the applicant to sign the rent agreement of hotel with her for filing a civil suit against herself and the bank to delay the recovery of loan from them. At the instance Kiran Bhanot, her son and husband, applicant had filed the civil suit against Kiran Bhanot and UCO Bank Branch MID Corporate Ludhiana on 05.03.2016. The applicant and his wife are also running a firm namely M/s Gunocean Inc. at Delhi and complainant Arjun Bhanot along with his mother and father is running a firm Arjun Mall Retail Holdings Pvt. Ltd. at Kapurthala. The said firm Arjun Mall Retail Holdings Pvt. Ltd. Had approached the applicant for seeking loan of Rs.75 lac. A MOU dated 10.02.2015 was also entered between them in this regard. However, the said complainant firm continuously failed to honour the terms of MOU. The Arbitrator vide its

order dated 20.02.2019, awarded the arbitral award in favour of applicant firm. The complainant firm also preferred an appeal against the said arbitral award at District Courts Delhi and the same was dismissed and they again filed appeals against the said order at Hon'ble Delhi High Court as well as Hon'ble Supreme Court, which were also dismissed. The present FIR was counter blast of above said litigation. The applicant/accused is ready to join investigation and undertakes to abide by the conditions to be imposed by the Court and prayed that his bail application be allowed.

ARGUMENTS OF LD. ADDL.PP FOR THE STATE ASSISTED BY LEARNED COUNSEL FOR COMPLAINANT:

4. On the other hand, the learned Addl. P.P for the State assisted by learned counsel for complainant has vehemently argued that present accused/applicant has committed criminal breach of trust and cheating with the complainant. As such, in light of the grave and serious allegations leveled against the applicant/accused, for facilitating thorough and fair investigation, the custodial interrogation of the applicant/accused is required. Learned Addl. PP has further submitted that applicant/accused is not entitled for anticipatory bail and same be dismissed.

5. Further, ASI Jaswinder Singh had appeared and suffered a statement that as per record, no bail application under the provisions of section 438 Cr.P.C. or 439 Cr.P.C./ 482 BNSS or 483 BNSS, has been

filed before the Hon'ble High Court or decided by it or by any other Superior Court against the present applicant/ accused in the present case.

6. I have heard the learned counsel for applicant/accused and learned Addl.PP for the State assisted by learned counsel for complainant and have also gone through the police record.

7. Record perused. The brief facts of the prosecution case are that present case was registered at the instance of complainant Arjun Bhanot with the version that accused Parminder Pal Singh Bedi, who is relative of complainant, after preparing a forged and fabricated rent agreement dated 02.05.2011 with forged signatures of Kiran Bhanot i.e. mother of complainant Arjun Bhanot, filed a Civil Suit No.CS/98/2016 at Phagwara regarding illegal possession over the building of Hotel Arjun Clark Inn, Phagwara. The said suit was dismissed-in-default vide order dated 29.04.2024. Thereafter, on obtaining the FSL report, the said signatures of Kiran Bhanot on aforesaid forged and fabricated rent agreement 02.05.2011, prepared by accused Parminder Pal Singh Bedi, were found forged. In view of these allegations, the present FIR was registered against the applicant/ accused.

8. After giving my thoughtful consideration to the rival submissions, and on careful perusal of the averments of the application, contents of the FIR, record so produced, coupled with due assistance rendered and keeping in view the nature of offences, the court does not

find any merit in the submissions put forth by the the learned counsel for the applicant/ accused. The court is of the considered opinion that in order to facilitate a through and fair investigation, the custodial interrogation of the applicant/ accused is rather inevitable. Consequently, I find no feature available in this case, which can justify or warrant the invocation of extraordinary equitable discretion under Section 482 of BNSS. Hence, the accused/applicant is not entitled for anticipatory bail and his bail application is hereby **dismissed**. However, any observation made above while disposing off this bail application shall not be considered an opinion of the undersigned on the merits of the case. Police record be returned along with copy of this order. Record of this bail application be consigned to the Sessions Court Record Room.

Pronounced in open court.

Dt.07.10.2024

Kaushal

(Rana Kanwardeep Kaur Chahal),

Addl. Sessions Judge, Kapurthala,

(UID No. PB00223).

BA No.	1905/2024
CNR No.	PBKP010045972024

Present: Shri Sandeep Kumar, Advocate, for applicant/accused.
Sh.APS Dhillon, Addl. PP for the State.
Sh.Rajiv Puri, Advocate for complainant.

Arguments heard. Vide my separate detailed order of even date, the bail application filed by applicant/accused has been **dismissed**. Police record be returned along with copy of this order. Record of this bail application be consigned to the Sessions Court Record Room.

Pronounced in open court.
Dt.07.10.2024
Kaushal

(Rana Kanwardeep Kaur Chahal),
Addl. Sessions Judge, Kapurthala,
(UID No. PB00223).