

**IN THE COURT OF ATUL KASANA,
ADDITIONAL SESSIONS JUDGE, MOGA.
(UID No. PB0085)**

**B.A/CIS No. 1905 of 2021
CNR No. PBMO010048262021
Decided on: 21.9.2021.**

State of Punjab

Versus

Angrej Singh Gill, aged 35 years son of Roor Singh, resident of Sant Nagar, Landeke, Tehsil and district Moga.

~~~~~Applicant-accused.

**FIR no. 43 dated 2.3.2016  
Under Sections 420, 465, 467, 468, 471,  
120B IPC  
P.S. City, Moga.**

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Application under Section 438 Cr.PC for grant of anticipatory bail.

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Present: Sh. Sukhdev Singh Advocate for applicant-accused.  
Sh. Sahib Singh APP for the State.

**O R D E R**

This order of mine shall dispose of bail application under Section 438 Cr.PC filed by the applicant/accused named above in case, FIR no. 43 dated 2.3.2016, under Sections 420, 465, 467, 468, 471, 120B IPC, P.S. City, Moga.

2. Notice of the bail application was issued to the State and record from the concerned Court was requisitioned.

3. Learned counsel for the applicant submits that the accused/applicant had been declared as Proclaimed Offender vide order

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dated 14.08.2017, passed by the learned Trial Court. His absence was not intentional but due to the reason that he had gone abroad on 30.12.2015 at Saudi Arabia and returned back to India in the month of August, 2017 and thereafter had gone to Malaysia in the month of August, 2017 and stayed at Malaysia till September, 2019 and came back to India in the month of Sept, 2019 and then gone to Urminia in October, 2019 and from Urminia, he had gone to Russia and be returned back to India in December, 2019 and after some days, he had gone to Bangkok-Thailand and returned to India in the month of January 2020 and in the month of March, 2020, lockdown was imposed and he was not aware about the pendency of the present case. He further submits that false case has been registered against him and that he has not committed any offence. On these submissions, a prayer for acceptance of bail application has been made.

4. Per contra, the learned APP for the State has contested the bail application on the ground that every effort was made to procure presence of accused/applicant and when his presence could not be procured by adopting all the possible modes, he was declared as Proclaimed Offender on 14.8.2017. He further submits that the accused/applicant has been nominated in the present case under Sections 420, 465, 467, 468, 471 and 120B of IPC, P.S.City, Moga and keeping in view the nature of allegations, his custodial interrogation is required, while further submitting that other case FIR No.1 dated

31.1.2016 is also pending against him. On these submissions, he has prayed for dismissal of present bail application.

5. As per prosecution version, the instant case has been registered against the accused/applicant on the basis of a complaint moved by complainant Rajinder Singh. It is in accusations that complainant is resident of Dutt Road, Moga and is Managing Director of Deep Finvest Limited, Moga and that on 1.3.2015, Angrej Singh son of Roor, resident of Village Landeke, District Moga and Guarantor Monu Sharma son of Nand Lal brought one vehicle make Innova, Model, 2006 bearing registration No. PB-07T-0571, Engine No. 2KD9788775, Chassis No.MBJ11JV 4007066161 to their office and they were also having affidavit, RC of the said vehicle and other documents and the said persons took a loan of ₹ 3,08,000/- from his company on the said vehicle and they had to re-pay a sum of ₹ 3,77,300/- including interest in installments and Monu Sharma son of Nand Lal Sharma stood guarantor of the same, but later on, they came to know from reliable sources that the said persons got prepared the forged documents by illegal means in connivance with one Sandeep Singh son of Nirmal Singh and they in connivance with each other had misappropriated the said vehicle and on inquiry made by complainant from all the above said three persons, they threatened to kill them. Angrej Singh, Sandeep Singh and Monu Sharma intentionally committed cheating with their company. Hence, the present complaint/FIR.

6. The allegations against the accused/applicant that he in connivance with co-accused took a loan of ₹ 3,08,000/- from the company of the complainant by hypothecation of the vehicle and thereafter, misappropriated the said vehicle by getting prepared the forged documents of the vehicle. Another case bearing FIR No.1 dated 31.1.2016, under Sections 465, 467, 468, 471, 474 and 120 B IPC has also been registered against him at P.S. NRI, Moga. Furthermore, he was declared as Proclaimed Offender by the learned Trial Court vide order dated 14.8.2017 and now apprehending his arrest, he has preferred the instant bail application after more than 5 years of registration of the FIR. In view of these circumstances and in order to thoroughly probe into the matter, the custodial interrogation of accused/applicant is required and as such, he is not entitled to concession of anticipatory bail and hence, the same is hereby dismissed. Record of the Trial Court be returned along with copy of this order and papers of this bail application be consigned to the Record Room.

**Pronounced:**  
**Dt. 21.9.2021.**  
Sanjeev Kumar, Stenographer

**(Atul Kasana)**  
**Additional Sessions Judge, Moga.**  
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ASJ/Moga