

In the Court of Hardip Singh, Additional Sessions Judge, Ferozepur

CNR No.PBFZ0100-4022-2022

CIS No. BA/1611 of 2022

Date of Order: 01.08.2022

Didar Singh aged 57 years son of Puran Singh, resident of village Shehzada Sant SinghWala, Tehsil Zira, District Ferozepur.

... Applicant/Accused.

Versus

State of Punjab.

....Respondent.

FIR No.08, dated 29.01.2019

U/s 420, 465, 467, 468, 471, 120-B IPC

Police Station City Zira.

(Application for bail under Section 438 of Cr.P.C)

Present: Sh.A.P.S. Dhanju, Advocate, counsel for applicant/accused
Sh. Keemat Singh, Additional Public Prosecutor for State.

O R D E R

1. Heard on the bail application filed by applicant/accused Didar Singh, under section 438 Cr.P.C in case bearing FIR No. 08, dated 29.01.2019, under sections 420, 465, 467, 468, 471, 120-B IPC, Police Station City Zira.

2. Learned counsel for the applicant/accused has argued and contended that applicant/accused has been falsely implicated in this case. Applicant/accused has obtained loan of Rs. 10,00,000/- from the bank after submitting proper documents and at the time of obtaining loan, the manager of the bank and other officials of the bank obtained

signatures of the applicant/accused on certain blank papers and thereafter, the applicant/accused started paying the interest to the bank regularly. The applicant/accused has no knowledge regarding the act and conduct of the above said manager and other officials of the bank and agent who committed the above said fraudulent act. The applicant/accused procured the loan amount by submitting the correct documents as per his knowledge and if any fraudulent document is there regarding the loan account of the applicant/accused, he has no personal knowledge regarding the same as he is an illiterate person. The applicants/accused are ready to cooperate with the investigation. Hence, a prayer has been made for grant of anticipatory bail.

3. Notice of the bail application was given to the State, through learned Additional Public Prosecutor for the State, who appeared and opposed the present bail application on the ground that the applicant/accused has committed heinous crime, by forging documents for the purpose of procuring loan from the bank. As such, applicant/accused is not entitled to anticipatory bail.

4. Heard. Perusal of the file shows that notice of the bail application was also given to the investigating officer of the case, who appeared and suffered a statement that he has already sent notice under section 41-A of Cr.P.C to the applicants/accused and in

compliance of the said notice, the applicant/accused joined the investigation but has not cooperated with the investigation and he has applicants/accused moved the present bail application. Perusal of the file further shows that the allegations against the present applicant/accused are that he had applied loan from the complainant bank in connivance with other co-accused. He has also taken loan, but he has not returned the same till date. Moreover, he had joined in the investigation in compliance with the notice under section 41-A of Cr.P.C., but he has not cooperated with the investigation. Even he has not disclosed the names of his co-accused, who are involved with him in forgery of loan documents. So, since the applicant/accused is not cooperating with the investigation despite issuance of notice under section 41-A of Cr.P.C., so this court is of the considered view that custodial interrogation of applicant/accused is required. As such, no ground is made out to grant concession of anticipatory bail to the applicant/accused. Accordingly, present bail application is hereby dismissed and disposed of. Anything stated in this order shall have no bearing on the merits of the case in any manner. Police record be returned and bail file be consigned to the record room.

Pronounced in open Court.

Dated: 01.08.2022

Pritpal Singh, Stenographer Gr. II

Sd/-
(Hardip Singh)
Additional Sessions Judge
Ferozepur UID No.PB0638