

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No.40486 of 2015 (O&M)
Date of Decision: 04.12.2015**

Ashu Kumar

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Surinder Kumar Ahuja, Advocate for the petitioner.

Mr. Rajiv Doon, Assistant Advocate General, Haryana
for the respondent/State along with ASI Satish Kumar.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail in case FIR No.119 dated 30.08.2015, under Sections 454, 380, 409 and 120-B of the Indian Penal Code, registered with Police Station Sadhaura, District Yamuna Nagar, Haryana.

As per allegations in the FIR, on 29.08.2015 at about 7:00 PM, complainant/Balinder Kumar, Branch Manager, State Bank of India, Sadhaura, Yamuna Nagar received a phone call from the ATM Guard that the Camera of ATM was not there and there was pungent smell of burning something. On that day, Baljinder Kumar was on leave/out of station and he told Mr. Pawan Kumar, Dy. Manager to see the matter. On the next day i.e. 30.08.2015 at about 9:00 AM, Pawan Kumar told the Manager/complainant that ATM Safe Lock was opened and the cash was also missing. The complainant reached in the bank and checked the balance, which was showing Rs.12,91,800 out of which some amount was lying in the rejected BIN, which according to CCTV footage have been taken/stolen by some

unknown person on the day of occurrence by opening the lock of the SAFE of ATM Machine and has stolen Rs.12,91,800/-.

It is averred that the petitioner/accused is an employee of State Bank of India, Yamuna Nagar and not of Sadhaura Branch where the alleged offence has been made. It is further stated that the petitioner has been falsely implicated in the present case as he is relative of co-accused, namely, Chander Mohan, who involved in the present case.

After arguing for sometime, learned counsel for the petitioner/accused wishes to withdraw the present petition.

Dismissed as withdrawn.

December 04, 2015

Gagan

(JASWANT SINGH)
JUDGE