

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

CRM-M No. 9935 of 2016 (O&M)

Date of decision: 05.08.2016

Joginder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. VS. Kajla, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by SI Raj Kumar.

Mr. Pradeep Sharma, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.140, dated 26.02.2016, registered under Sections 406 & 420 IPC, at Police Station City Hansi, District Hisar.

On 21.03.2016, this Court had passed the following order:-

“The Branch Manager, Andhra Bank, Hansi is the complainant and it is alleged that the petitioner-accused Joginder Singh has utilised his Debit Card attached to the Saving Account of the victim-Rajinder Singh and thereby withdrawn a sum of Rs.5,38,000/- during the year 2015 from the account of the victim.

It is submitted that the mistake, if any, is on the part of the bank and the petitioner is ready to offset the amounts withdrawn.”

The learned counsel for the petitioner states that despite repeated attempts to contact the petitioner, he has not come forward to assist him.

Heard.

The petitioner undertook to repay the amount of Rs. 5,38,000/- withdrawn during the year 2015 from the account of the victim, however, despite sufficient opportunities, he has not made any payment, therefore, the petitioner is not entitled to the relief prayed for.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

05.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No