

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

CRM No.M-24254 of 2017 (O&M)

Date of Decision: July 17, 2017

Ramesh

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Atul Arya, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.933 dated 21.12.2016 under Sections 420 IPC, registered at Police Station Sector 5, Gurgaon, District Gurugram.

Notice of motion.

Mr.B.S.Virk, DAG, Haryana, has put in appearance on behalf of the respondent-State and contested the petition.

Police record is also available.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the FIR, the petitioner withdrew ₹18,000/- fraudulently by using ATM and hanging ATM machine.

It is stated by the complainant Shipra Sharma that on 21.08.2016, she went

ATM PIN and withdrew ₹3000/- but no slip was generated and she re-tried. Then two young boys entered the ATM booth and guided her to re-enter the PIN and check balance as the print paper must have finished. The complainant entered the PIN to check the balance but the screen went blank, so she pressed cancel button three times and came back home. At 10.44 a.m., she received a message on her phone that ₹3000/- has been withdrawn. At 10.52 a.m., she received another message that ₹8000/- has been withdrawn. The complainant called customer care and she was stunned to know that total ₹18000/- was withdrawn. At that time, no guard was present at the booth.

At the time of arguments, learned State counsel brought it to the notice of this Court that seven more FIRs have also been registered against the petitioner regarding similar nature of offences.

Keeping in view the facts and circumstances of the present case and in view of the fact that complainant has not been examined so far, I do not find it a fit case where petitioner is entitled to benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

July 17, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No