

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.210

CRM-M-25748-2018

Date of decision : 09.07.2018

Mohd. Azeem

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Rakesh Dhiman, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. H.S. Deol, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

Service is complete.

The petitioner seeks anticipatory bail in case FIR No.218 dated 28.05.2018 registered at Police Station Sector 17/18, Gurugram, District Gurugram, under Sections 44 and 66 of Information Technology Act, 2000 and Sections 408, 418, 420, 421, 468 and 477-A IPC.

As per the allegations in the FIR, the petitioner was appointed as distributor of Micromax Informatics Limited. The son of the petitioner was an employee of the said company. He in connivance with the Accounts Manager, falsified the accounts of the company and showed credits against the firm of the petitioner when none had been received. The credits were manipulated through fictitious entities.

Learned counsel for the petitioner has relied upon documents Annexure P1 to P3, to state that whatever was due against the firm of the petitioner, had already been cleared and therefore, there was no question of the petitioner being involved in the FIR.

Learned counsel for the complainant, however, submits the accounts have been falsified by showing credits when no credit was in fact received, thus, the accounts statement (Annexure P3) cannot be relied upon. He denied the fact that the monies due from the firm of the petitioner had been paid.

Learned State counsel also submits that large scale manipulations had been made by the petitioner in connivance with his son and the Manager (Accounts). As on date, more than a sum of Rs.2 crore, is due from the firm of the petitioner. Thus, I do not see any reason to exercise my discretion under Section 438 Cr.P.C.

The petition is accordingly, dismissed.

(SUDHIR MITTAL)
JUDGE

09.07. 2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No