

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

CRM No.M-31353 of 2018 (O&M)

Date of Decision: July 26, 2018

Naresh Kumar Mittal

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rajiv Kataria, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.196 dated 20.12.2016 under Sections 406 and 420 IPC, registered at Police Station Canal Colony, Bathinda.

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

From the record, I find that first bail petition filed by present petitioner has already been dismissed on merits vide order dated 23.03.2017 by holding that petitioner is required for custodial interrogation. At the time of arguments, no changed circumstance has been shown except the fact that petitioner has not been arrested by the police so far. This fact that petitioner was not arrested by the police, is no ground for grant of anticipatory bail.

As per prosecution version, ₹30,000/- was withdrawn from the

account of complainant and she received two messages on her mobile in this regard. Later on, she came to know that two ATM cards have been issued of her account, one was lying with her and other was with some other person, regarding which she has no knowledge and through that ATM card, the amount was withdrawn.

The perusal of the record shows that present petitioner is the main accused, who being Branch Manager, got issued second ATM card of the account of complainant and fraudulently withdrawn the money.

In view of these facts, I find that petitioner is required for custodial interrogation and there being no changed circumstance, no ground is made out to grant anticipatory bail to him.

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

July 26, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No