

206

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

CRM-M No.3725 of 2018

Date of Decision: 02.02.2018

Mukesh @ Bholu

....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Shalender Mohan, Advocate,
for the petitioner.

Ms. Neelam Kashyap, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

1. Petitioner is accused of offences under Sections 406, 420, 467, 468, 471, 506, 120-B, 201 IPC in FIR No.213 dated 26.06.2016, registered at Police Station Nissing, District Karnal.

2. Prosecution story is to the effect that as per advertisement published in 'Punjab Kesari' Newspaper on 30.03.2016, offer was made to install mobile tower by Indus Tower Company at the rent of Rs.45,000/- per month and providing employment of one person from the family and Rs.70 lac in advance.

3. Complainant Bakshi Ram contacted the mobile

number given in the advertisement for getting installed mobile tower in his land. Assurance was given by Pankaj Sharma through mobile. The complainant deposited some amount on different dates, however, later on the promise was found to be farce.

4. During investigation, mobile numbers were found to be issued on fake identities and the amount was found to be deposited in the account of some accused.

5. As per investigation of the police, Shubham Chaudhary has withdrawn the amount from ATM on the same day and the address of Mukesh Aggarwal in a/c No.20291792344 in S.B.I. Bank was found to be wrong. A/c No.34958214886 in S.B.I. Bank was found to be in the name of Shubham Chaudhary @ Tonny. An amount of Rs.1,35,000/- was withdrawn by Shubham Chaudhary and his uncle Rajiv @ Golu from the ATM. Both were joined in the investigation. After withdrawal of the amount by Shubham Chaudhary, he handed over the passbook and ATM card to co-accused Mukesh Saini son of Ram Bhagat Saini. Mukesh @ Bholu has also disclosed that since he was involved in some case, so under threat perception he destroyed the passbook etc. The allegation against the petitioner is under Section 201 IPC.

6. Co-accused namely Mohd. Zuber, Shubham, Rajiv

and Toshiba Mansoori have been released on regular bail.

7. Offence is triable by Magistrate.

8. Learned State counsel on instructions from ASI Harbhajan Singh submits that challan has already been presented. Charges have not been framed so far.

9. The petitioner is in custody since 07.12.2017.

10. Taking into consideration the aforesaid facts, I deem it appropriate to enlarge the petitioner on regular bail.

11. In view of above, the petition is allowed. Petitioner is ordered to be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

12. Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

02.02.2018

jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No