

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.39064 of 2018
and
Criminal Misc. No.M-47248 of 2018

.....

Date of decision:15.11.2018

Davinder Kumar

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

Present: Mr. Kewal Krishan, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab for the
respondent-State.

.....

Inderjit Singh, J.

Criminal Misc. No.39064 of 2018:

The criminal miscellaneous application is allowed and
Annexure-P.3 attached with the criminal miscellaneous application is taken
on record subject to just all exceptions.

Cr. Misc. No.M-47248 of 2018:

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.0271 dated 10.9.2018
registered for the offences under Sections 379 and 120-B IPC at Police
Station Model Town, Ludhiana, District Ludhiana.

Notice of motion has been issued in this case.

Ms. Monika Jalota, learned Deputy Advocate General, Punjab has appeared on behalf of the respondent-State and contested this petition.

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 the FIR in the present case has been got registered by complainant Nirmal Singh. The petitioner is named in the FIR. As per the allegations, on 30.7.2017 and 31.7.2017 someone had fraudulently withdrawn an amount of ₹1 Lakh by using ATM card from the complainant's account. It is also in the FIR that out of this amount, ₹50,000/- had been transferred in the account of unknown person. The allegations against the present petitioner are that he was working as a dispenser at the petrol pump and complainant's ATM card had been cloned by the accused at the petrol pump.

Keeping in view the nature and gravity of the offences and serious allegations against the present petitioner also and in view of the fact that the petitioner is required for custodial interrogation, I do not find it a fit case where the petitioner is entitled for the grant of anticipatory bail.

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

November 15, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No