

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-4488 of 2019

Date of decision:07.02.2019

Joginder

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. S.K. Tripathi, Advocate for the petitioner.

Mr. Tanuj Sharma, Assistant Advocate General, Haryana
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.674 dated 9.11.2018 registered
for the offences under Sections 406, 420 and 34 IPC at Police Station Sector
58, Faridabad, District Faridabad.

Notice of motion was issued.

Mr. Tanuj Sharma, learned Assistant Advocate General,
Haryana 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 as per the prosecution version, the
FIR in the present case has been registered at the instance of one Laxman,

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who stated that he came at SBI ATM at Rajiv Colony for withdrawing the money on which he tried to withdraw the money, but the same could not be withdrawn. One boy was standing near him and after taking his ATM card he told that he would withdraw the money. He inserted the ATM card 2-3 times and gave him another ATM card by way of cheating and two boys were standing behind him and all three boys fled away on one motorcycle bearing registration No.HR-30-Q-4846.

The learned State counsel stated that the motorcycle was in the name of brother of the present petitioner, who is already deceased and that motorcycle has been used by the petitioner. The present petitioner is nominated by the co-accused that he was with him and involved in the occurrence.

Learned counsel for the petitioner argued that no money has been withdrawn from the ATM by using the ATM card in question.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offences, I find that the petitioner is required for custodial interrogation, hence, 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.

February 07, 2019.

(Inderjit Singh)
Judge

hsp

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