

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

CRM No.M-46772 of 2018 (O&M)

Date of Decision: March 18, 2019

Nitesh Malhotra

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sukhmeet Singh, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.214 dated 16.11.2016 under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Moga City, District Moga.

Notice of motion was issued. Learned State counsel appeared and contested the 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 FIR in the present case has been registered at the instance of Jagtar Singh, complainant, who stated that on 05.07.2016, he received a letter from Income Tax Department, Moga, in

which it has been written that on 21.06.2012, an amount of ₹6,27,760/- has been received in the account from Shri Rinku Kumar Proprietor of M/s Sethi Enterprises. On getting this information, the complainant enquired and found that a fake account in his name has been opened by using fake proofs. It is also in the FIR that account has been opened by Ganpati Moneygram in connivance with a bank employee. Present petitioner is a bank employee.

At the time of arguments, learned State counsel brought it to the notice of this Court that one another case of fraud has already been filed against the present petitioner. It is also argued that petitioner certified having met the intended customer and further certified having verified the copies of identity and address against the originals as produced by intended customer of the bank with further certification and confirmation that the form had been signed by the intended customer in his presence.

Keeping in view the facts and circumstance of the present case, nature and gravity of the offence, I find that petitioner is required for custodial interrogation and no ground is made out for granting benefit of anticipatory bail to him.

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

March 18, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No