

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

CRM-M No.22144 of 2019 (O&M)
DATE OF DECISION : 26th AUGUST, 2019

Sarabjot Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. D. S. Gandhi, Advocate for the petitioner.

Mr. Vikas Malik, Deputy Advocate General, Haryana.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.429 dated 27.09.2016 registered under Sections 419, 420, 467, 468, 471 & 201 of the Indian Penal Code (for short 'the IPC'), at Police Station DLF Phase-2, District Gurugram.

Counsel for the petitioner submits that the name of the petitioner has been wrongly involved in this case. The petitioner has no role in creation of the fake cards or withdrawing the money. He further submits that the allegation in this case is that an amount of ₹7,82,554/- was withdrawn through alleged fabricated cards. However, to show the bona fides, but subject to the rights of the petitioner during the trial, if any, the petitioner is ready even to deposit above said total amount with the complainant-bank. Counsel for the petitioner further submits that he has brought the demand drafts in the name of the complainant bank, i.e.,

American Express Banking Corporation, for the above said amount of ₹7,82,554/-, the details of the drafts are as under:

Sr.No.	Draft No.	Drawn on	Date	Amount (₹)
1.	065558	Indusind Bank Limited, Preet Vihar	23.08.2019	200929
2.	065559	-Do-	23.08.2019	206550
3.	065562	-Do-	23.08.2019	375075
			Total	782554

It is further submitted that the petitioner is in custody since 08.03.2019 and there is no other case against the petitioner. Challan has already been presented in this case.

Counsel for the State submits that there is sufficient evidence against the petitioner to connect him with the alleged act. However, it is not disputed by him that the challan has already been filed in this case and that there is no other case against the petitioner.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

The demand drafts mentioned above are handed over to ASI Arjun Singh for onward submission of the same to the complainant-Bank within a week from today. It is also clarified that if the bank feels satisfied with the return of the money, then the bank would be at liberty to resort to settle the dispute with the petitioner; as well.

26th AUGUST, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No