

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

CRM-M No.28133 of 2019
DATE OF DECISION : 11th JULY, 2019

Amit Thakur @ Amit Choti @ Ankit Wadia

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Ashok Bhardwaj, Advocate for the petitioner.

Mr. M. D. Sharma, Assistant 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 regular bail in case FIR No.264 dated 20.07.2017 registered under Sections 420, 406 & 120-B IPC at Police Station Farakpur, District Yamuna Nagar.

Learned counsel for the petitioner submits that the case against the petitioner is totally false. The petitioner has not received any money from the complainant, as alleged by him. It is further submitted that even as per the complainant, only this much is stated that at the instance of the petitioner money was deposited in accounts of some other persons wherefrom the same was subsequently withdrawn through ATM cards. However, the petitioner is not the holder of any one of those bank accounts. There is no record to show that money was transferred either at the instance of the petitioner or in the account of the petitioner or that the money was withdrawn by the petitioner through any banking transaction. Still further it is submitted that the story of the bank accounts is not even the part of challan. It is further submitted that the petitioner is in custody since 14.01.2019. There is no other case against the petitioner. It is also

submitted that some of the accused, in whose accounts the money is stated to have been transferred by the complainant, have already been released on bail.

On the other hand, learned counsel for the State, on being instructed by SI Sumesh Pal, submits that the petitioner has been a king pin of the entire fraud. In the process, 12 accounts were opened outside the State of Haryana. The money was deposited in those accounts and the same was subsequently withdrawn. However, it is not disputed by learned State counsel that there is no evidence to substantiate the fact that the petitioner either opened those accounts or operated the same. It is also not disputed that there is no record to connect the petitioner with either of those bank accounts in any manner. Still further it is not disputed that there is no other case against the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

11th JULY, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>