

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-28395 of 2019

Date of Decision: 13.08.2019

Harish Kumar Bhambri

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mrs. Tarnu Bhambri, wife of petitioner.

None for the State.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.219 dated 17.11.2016 registered for offences punishable under Sections 420, 465, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station City Moga, District Moga.

Heard.

As per case of prosecution, an account in the name of complainant-Rinku Kumar, proprietor of Sony Enterprises was opened in HDFC Bank, wherein transactions worth lakhs of rupees were made. The complainant on receipt of notice of Income Tax Department approached the bank and came to know that a fake account was opened in his name using copy of his PAN card and driving licence, which were not bearing his signatures.

Allegations against the petitioner is that he was posted as

Deputy Manager in the HDFC Bank and had verified CPV of complainant-

Rinku, which led to opening of the account.

The petitioner has been in custody since 13.05.2019. Challan against him has been presented in Court and co-accused are yet to be arrested. There is no allegation that the transactions in the fake account were made by the petitioner or under his signatures.

Without expressing any opinion on merits of the case and keeping in view the fact that completion of entire investigation, arrest of co-accused and then conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Harish Kumar Bhambri is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

August 13, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No