

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

234)

Crl. Misc. No.M-31445 of 2019(O&M)
Date of Decision: 30.09.2019

Nand Kishor

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Vipul Babuta, Advocate, for the petitioner.
Mr. Navdeep Singh, AAG, Haryana.
Mr. Puneet Kakkar, Advocate, for the complainant.

Amol Rattan Singh, J. (Oral)

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail'.

A reply by way of an affidavit of Sh. Pardeep Singh, Deputy Superintendent of Police, Samalkha, District Panipat, has been filed in Court today by the learned State counsel, which is ordered to be taken on record.

Learned State counsel on instructions from ASI Satish Kumar, as also counsel for the complainant, submit that the ATM cards belonging to the petitioner, as also his brother, have been recovered from the petitioners, which had been used to transfer funds from the bank to the hospital of his co-accused, Amit Malik, to the tune of Rs.27 lacs approximately, with a very small amount of money actually being available in the petitioners' account and therefore the pre-authorization facility granted by the bank having been misused.

Though learned counsel for the petitioner submits that the co-accused, Mamta, has been admitted to bail by the trial court itself, learned State counsel, again on instructions, submits that no ATM card of Mamta has been recovered or found to be used.

Consequently, the present petition is dismissed.

However, it is made clear that nothing stated herein above shall be taken to be an observation of this court on the merits of the case, for or against the petitioner, which would be gone into by the investigating agency as per the evidence gathered by it and the competent court, at the appropriate stage, on the basis of the evidence led before it.

30.09.2019
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(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: no