

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-35236 of 2019
Date of Decision: 27.11.2019

Amarjeet Gupta

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rishu Garg, Advocate
for Mr. Vivek Lamba, Advocate
for the petitioner.

Ms. Dimple Jain, A.A.G. Haryana.

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.39 dated 22.08.2018 registered for offences punishable under Sections 406 and 420 of Indian Penal Code (for short, "IPC") at Police Station Cyber Crime, Gurugram. (Offences punishable under Sections 201, 204 IPC and 66 of the Information Technology Act were added later on).

Heard.

Learned State counsel submits that petitioner is one of the directors of M/s Ekmunch Pvt. Ltd. He made plan to cheat the complainant (M/s Indiabulls Company) by showing one Arun Kumar as employee of his company. He opened account in the name of Arun Kumar and deposited a sum of ₹45000/- in his account as salary, which were later on withdrawn by the petitioner from ATM. A loan of ₹3 lakhs was taken from Indiabulls in the name of Arun Kumar by showing him as employee of the petitioner

while in fact he was never employee of the petitioner.

The petitioner was arrested in this case on 09.07.2019. After completion of investigation challan has already been filed.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Amarjeet Gupta 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 27, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No