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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2040/2019**

ANKUR MITTAL

..... Petitioner

Through: Mr.S.K.Sharma, Mr.Lalit Valecha, Mr.Aseem
Nayyar, Ms.Bhavya Chauhan, Mr.Praveen
Kumar and Mr.Prashant Gupta, Advs.

versus

STATE & ANR.

..... Respondents

Through: Mr. Hirein Sharma, Addl. PP for the State
Mr. Balendu Shekhar & Mr. Raj Kumar
Advocates for Respondent No. 2 - State of
Maharashtra

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **21.08.2019**

Crl.M.A.33754/2019 (exemption)

Exemption is allowed subject to all just exceptions.

BAIL APPLN. 2040/2019

1. Petitioner seeks anticipatory bail in FIR No.2/2019 under Section 66D of the Information Technology Act, Police Station Cyber Police Station, Ahmednagar, Maharashtra.
2. Subject FIR has been registered on the complaint that seven transactions totalling Rs. 45,75,650/- happened in his account and money withdrawn without his consent.

3. Learned counsel for the petitioner submits that a notice under Section 160 Cr.P.C has been received by the petitioner. He submits that the petitioner is neither named in the FIR nor any of his accounts have been used for the said transactions. He submits that the petitioner apprehends coercive action being taken by the IO in case he appears consequent to the notice under Section 160 Cr.P.C.

4. Learned counsel appearing for respondent No.2 on advance notice submits that the petitioner was required to appear on 17.08.2019 and since he did not appear on the said date a fresh notice under Section 160 would be issued. He states that he has taken telephonic instructions from the IO and that petitioner shall not be required to appear consequent to a fresh notice for at least 10 days from today. He further submits that during the said period there will be no cause to take any coercive action against the petitioner.

5. The statement is taken on record.

6. In view of the above statement, learned counsel for the petitioner seeks leave to withdraw the petition with the liberty to approach an appropriate Court having territorial jurisdiction.

7. Petition is accordingly dismissed as withdrawn with the liberty as prayed for.

8. Order *dasti* under signatures of the Court Master.

AUGUST 21, 2019/rk

SANJEEV SACHDEVA, J