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

+ **BAIL APPLN. 2214/2019**

GOVIND

..... Petitioner

Through: Mr. Santosh Singh Bagga, Advocate.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Ms Kusum Dhalla, APP for State.
ASI Gulab Singh, PS Nangloi.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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04.09.2019

CRL.M.A. 35069/2019

1. Allowed, subject to all just exceptions.

BAIL APPLN. 2214/2019

2. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the concerned SHO to release the petitioner on bail in the event of his arrest in connection with FIR No.461/2018 under Section 420 of the Indian Penal Code, 1860 registered with PS Nangloi, Delhi.

3. The FIR in question was lodged at the instance of Neelam (the complainant). The complainant had alleged that aggregate sum of ₹77,269/- had been fraudulently withdrawn from an ATM by the petitioner, who she described as Pradeep Kumar, phone no.098130603521, R/o 19/365, MCD Flats, Sector-20, Rohini, Delhi. She stated that the said amounts had been withdrawn in tranches by the petitioner and had also been transferred to the

account of one Pradeep Kumar (ID 3077000100196598).

4. It is the petitioner's case he is not Pradeep Kumar, as mentioned in the FIR. He states that there has been error in identity. He further states that he was not even in station when the said incident had occurred as he had gone to Bhiwani, to attend the wedding of his cousin.

5. Ms Dhalla, learned APP appearing for the State states, on instructions of the Investigating Officer, that CCTV footage from the said ATM has been recovered and the petitioner has been identified from the said footage. She also states that there is another FIR (FIR No.484/2016) wherein the petitioner is alleged to have committed a similar offence.

6. In view of the above, this Court does not consider it apposite to accede to the prayer as sought in the present petition.

7. The present petition is dismissed.

VIBHU BAKHRU, J

SEPTEMBER 04, 2019
MK