

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47483-2019 (O&M)
Date of decision: 30.01.2020

Mohit Raj

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Mohit Nehra, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.116 dated 19.09.2019 under Sections 417, 420, 467, 468, 471, 120-B IPC and Sections 66/66(b)/66(d) of the Information Technology Act, 2000, registered at Police Station Sherpur, District Sangrur.

Learned counsel for the petitioner submits that as per allegations in the FIR, which was registered on receiving a secret information that the petitioner is roaming in the area and is withdrawing the amount from the ATM machines using Debit Cards of innocent persons and he was apprehended and 05 duplicate ATM cards, laptop and an ATM card writer were recovered. It is further submitted that the petitioner is in custody since 25.09.2019; challan stands presented and the offences are triable by the Court of Magistrate, therefore, it will take some time in conclusion of the trial. Learned counsel

further submits that during the investigation, the police could not find any person, who was allegedly cheated by the petitioner, by withdrawing the amount from his account and only allegation against the petitioner is that some duplicate fake ATM cards were recovered from him.

Learned State counsel, on instructions from ASI Gurjant Singh, has not disputed the fact that during the investigation, nothing has come on record that any amount was withdrawn by the petitioner, on the basis of fake ATM cards, however, it is submitted that he is involved in some other cases.

In reply, learned counsel for the petitioner has submitted that the petitioner is on bail in all other cases, which are registered in quick succession of 15 days.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

30.01.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No