

CRM-M-36047-2022
Date of decision 23.08.2022

AJIT MANEK

...PETITIONER

Verses

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Dilmrig Nayani, Advocate with
Mr. Shubham Kulshreshtha, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J (Oral):

Prayer in this 2nd petition is for grant of regular bail in FIR No.0535 dated 20.05.2020 under Sections 420, 465, 467, 468, 471 and 120-B of IPC registered at Police Station, Panipat City, Panipat; the earlier one was withdrawn on 15.12.2021 (Annexure P-3).

Learned counsel submits that the new ground for grant of bail is that now the investigation is complete and challan is presented and one of the co-accused Parkash Dahiya has been granted the concession of regular bail by the Additional Sessions Judge, Panipat vide order dated 07.04.2022 and petitioner is in custody for last one year, one month and 14 days.

Brief facts of the case are that on complaint given by Ved

Prakash, it is stated that he received a message on his mobile phone that a

sum of Rs.4.5 lakhs and 2.5 lakhs was transferred from his Union Bank Account through RTGS in the account of one Kanti Lal, Ramji Ravasiya, in Bank of Baroda whereas he has never conducted any transaction with said Kanti Lal and has never given any cheque in his favour. After registration of the FIR the investigation was conducted and the statement of Kanti Lal was recorded who stated that on the asking of one Pritam Varang he had opened the account during Lock-down. Ajit Vasanji Manek and Prakash Premjit used to visit him and asked for his account number as they had no account details. On their asking, they had issued two cheques and the amount was withdrawn. After the arrest of Prakash Premji and Ajit Vasanji, their disclosure was recorded and one Alpez Bhai was nominated.

The learned counsel for the petitioner submits that the petitioner is not the holder of the account in which the amount of the complainant was transferred and as per the investigation, the name of the petitioner has surfaced in the disclosure of Kanti Lal with whom he had some business transactions and the petitioner has not received any amount from the complainant. The counsel has further argued that the petitioner is the first offender and he is not involved in any other case.

Learned State counsel could not dispute the factum to the issue that one of the co-accused has been granted the concession of regular bail by the Additional Sessions Judge. He has also not disputed that the investigation is complete and petitioner is in custody for last more than one year, one month and 14 days as per custody certificate.

After hearing the counsel for parties and considering the fact that the offences are triable by Magistrate; petitioner is first offender; he is in custody for the last more than 1 year 1 month and 14 days and also in

trial will take some time, the 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.

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23.08.2022
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(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>