

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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2023:PHHC:129445

CRM-M-50160-2023

Date of decision: October 5th, 2023

Paramjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Liaqat Ali, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.04 dated 13.06.2023 registered under Sections 406/420/120-B/201 of the IPC registered at Police Station NRI, District S.B.S. Nagar.

2. Learned counsel for the petitioner, *inter alia*, contends that he has been falsely implicated in the case in hand for allegedly siphoning off an amount of ₹45 lakh from the NRI bank accounts of the complainants, after misusing their ATM cards. He has submitted that it is a matter of record that as per RBI guidelines, in the absence of any consent form of the bank account holder, the bank could not have even issued any ATM card to the petitioner. He further submits that no doubt, the petitioner had provided his phone number to the complainant, who is an NRI, during his stay in India, however, the phone remained in the possession of Narvir Singh Dhillon, brother of the complainant. Furthermore, even the entire transactions pertaining to the bank account of the complainant had been done only by Narvir Singh Dhillon, as he also happened to have an account in the

same bank. Learned counsel submits that the petitioner is willing to join investigation and cooperate with the investigating agency.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. *Prima facie*, there are serious allegations against the petitioner in the FIR in question, which has been annexed as Annexure P-1. The petitioner allegedly, in connivance with the Bank Manager, cheated the complainant by withdrawing small amounts of money totalling ₹45 lakh over a period of time from the bank account of the complainant and his brother who are NRIs, through their ATM card. Not only this, the petitioner allegedly, in connivance with the bank official, got his telephone number entered into the records of the bank account of the complainant. Thus, in view of the seriousness of the allegations levelled, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

5. The instant petition, therefore, stands dismissed.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

October 5th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No