

S. No.226

2024:PHHC:020715

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

CRM-M-1071 of 2024

Date of Decision:14.02.2024

Nitesh Mordhas @ Nitesh Mordhans

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Abhimanyu Singh, Advocate for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

DEEPAK GUPTA, J. (Oral)

Status report by way of affidavit of Shri Ramesh Kumar, HPS, Deputy Superintendent of Police, Hqrs., Bhiwani, Haryana has been filed on behalf of the respondent- State along with the custody certificate.

As per prosecution allegations, the complainant of the case Ankur Goyal received a call on 19.08.2022 on his mobile from Mobile No.08037972044. Caller told him that he was from Bajaj Finance Ltd. Company and wanted to verify the details of his credit card. He took details of the ICICI Bank Credit Card Number and fraudulently debited ₹2 lacs from the credit card of the complainant. During investigation, the account in question in which the amount was transferred was found to be in the name of Chanda C/o Hari Govind in which an amount of ₹95,000/- had been transferred. Another account was found in the name of Sanover, in which there was transfer of ₹52,000/-. Chanda, on joining the investigation, disclosed that her account had been opened by the present petitioner. Petitioner in his disclosure statement, made a statement that he had opened several accounts on the asking of one Talib, who used to deposit the money and that he used to debit the money and return back to Talib on

10% commission . Co-accused Sanover in whose account, amount of ₹52,000/- was transferred has already been allowed bail.

Learned counsel further contends that the petitioner is in custody for the last more than 02 months; that all the offences are triable by the Magistrate and that the petitioner is not involved in any other case, so, he be allowed bail.

Learned State Counsel concedes the fact that name of the petitioner has emerged in the disclosure statement of co-accused Chanda. The offences in question are triable by the Magistrate. Petitioner is in custody for the last 02 months and 05 days as per the custody certificate and he is not involved in any other case. Trial may take time to conclude.

Having regard to all the afore-said facts and circumstances, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

February 14, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No