

IN THE COURT OF SH. KARAMJIT SINGH SULLAR,
ADDITIONAL SESSIONS JUDGE, LUDHIANA (UID-PB0141).

Bail Application No.296 of 26.11.2018.
CIS No. BA/17239/2018.
CNR No. PBLD01-026282-2018.
Date of Decision : 04.12.2018.

Aman Kumar aged about 24 years son of Darshan Kumar resident of
Nehru Nagar, Dhaki Road, Pathankot.

.....Applicant.

Versus

State of Punjab.

FIR No.67 dated 10.04.2018,
under Sections 379/420 IPC,
Police Station : Division No.3, Ludhiana.

Application for anticipatory bail u/s 438 Cr.P.C.

Present - Sh. Amit Luthra, Advocate for the applicant.
Ms. Monika Gupta, Additional P.P. for the State.

ORDER

Applicant Aman Kumar filed the present application for
anticipatory bail under Section 438 Cr.P.C.

2. Notice of the present application for anticipatory bail was
issued to the State and then, the ld. Addl. P.P. for the State on receipt
of notice appeared to contest this bail application.

3. The ld. counsel for the applicant contended that the
applicant is falsely implicated in this case. Nothing is to be recovered
from him. The concerned police is unnecessarily harassing the
applicant. The ld. counsel for the applicant further contended that the

matter in dispute has been compromised between the applicant and the complainant, in pursuance of which, quashing petition is filed before the Hon'ble Punjab and Haryana High Court at Chandigarh. The parties have also got their statements recorded before the ld. trial court regarding the above said compromise and the report was sent by the ld. trial court to the Hon'ble High Court in this regard. However, on 13.11.2018, ASI Sanjeev Kumar had stated before the Hon'ble High Court that the applicant has not joined the investigation. The ld. counsel for the applicant further contended that the applicant is ready to join the investigation as and when required by the investigating officer, but the applicant is having apprehension that he may be arrested by the police. Therefore, the applicant may be released on anticipatory bail.

4. On the other hand, the ld. Addl. P.P. for the State argued that the applicant has committed heinous offence and he cannot be given the benefit of bail at this stage. Therefore, the present bail application may be dismissed.

5. I have heard the ld. counsel for the applicant, the ld. Addl. P.P. for the State and have perused the police record carefully. The present case was registered on the basis of application moved by complainant Pankaj Chopra son of Somnath Chopra resident of House No.1314, Street No.5, Kashmir Nagar, Gaushala Road, Ludhiana, wherein he alleged that he is having account no.0766000101226773 in PNB bank and some unknown person had hacked his above said account and then, he had transferred an amount of Rs.75,000/- from

his (complainant Pankaj Chopra's) above said bank account to account no.1815000100505574, which is in the name of Aman Kumar son of Darshan Kumar resident of House No.113, Mohalla New Nehru Nagar, Ward No.23, Pathankot. The said transaction had taken place in ATM situated at Basti Jodhewal whereas he (complainant Pankaj Chopra) is having his above said account in branch situated at CMC and Hospital, Behind Brown Road, Ludhiana. Above said Aman Kumar has committed fraud with him (complainant Pankaj Chopra). Action may be taken. Then, the present case was registered and investigation was initiated. The allegations, against the applicant, are serious in nature. In case, he is given benefit of this bail, then there is every likelihood of his fleeing from justice. Perusal of the file reveals that the copy of order dated 13.11.2018 passed by the Hon'ble Punjab and Haryana High Court at Chandigarh in CRM-M No.19628 of 2018 is lying on record, as per which, the applicant had not joined the investigation in this case. Hence, it is clear that custodial interrogation of the applicant is required in this case by the concerned police for proper investigation. Therefore, in view of all these facts and circumstances of the case and serious nature of offence, the present application for anticipatory bail under section 438 of Cr.P.C. is hereby dismissed without commenting on the merits of the case in any manner. Record of this bail application be consigned to the record room.

Announced on : 04.12.2018.

(Karamjit Singh Sullar)
Addl. Sessions Judge, Ludhiana.
(UID-PB0141)

Deepak Sharma/SG.

BA/17239/2018

CNR No. PBLD01-026282-2018.

Aman Kumar Vs. State of Punjab

Present - Sh. Amit Luthra, Advocate for the applicant.
Ms. Monika Gupta, Additional P.P. for the State.

Arguments on the present application for anticipatory bail moved by applicant Aman Kumar, heard. Vide separate detailed order of even date, the application for anticipatory bail is dismissed. Record of this bail application be consigned to the record room.

Announced on : 04.12.2018.

(Karamjit Singh Sullar)
Addl. Sessions Judge, Ludhiana.
(UID-PB0141)

Deepak Sharma/SG.