

CRM-M-41820-2016

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

CRM-M-41820-2016

Date of Decision: 29.11.2016

Jiwan Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. J.S.Brar, Advocate,
for the petitioner.

Mr. P.S.Grewal, DAG, Punjab.

Mr. Anil Sood, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner, Jiwan Kumar, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.168 dated 22.10.2016, registered at Police Station Sadar Samana, District Patiala, under Sections 381 and 407 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel put in appearance on behalf of the respondent-State and the complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the petitioner; learned State counsel as well as learned counsel for the complainant and have gone through the record.

From the record, I find that FIR, in the present case, has been

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registered on the basis of application filed by Vikramjit Singh. It is stated in the application that there are 200-250 workers in Manku Agrotech Factory Ltd. Samana and the complainant is working as production manager in the said factory. As per the allegations, 167 pieces of arvidrol, 29 pieces of distributor, fingers, steering rods, spikas and tool kits were found less in their stock. The arvidrol and distributors were being fitted in the combines by Feroz Singh @ Fauji. It is alleged in the FIR that Feroz Singh @ Fauji in connivance with other workers has stolen these articles from the factory. During the investigation, Feroz Singh @ Fauji was found innocent and it was found that the present petitioner, who was serving as Supervisor, was given official vehicle by the company and this vehicle was immune from the security checking whereas all the workers were checked while leaving the factory. It was also found that theft has been committed by the present petitioner.

Keeping in view the facts and circumstances of the present case and in view of the fact that recovery is still to be effected, I find that the petitioner is required for custodial interrogation. Therefore, without discussing the facts of the case in minute details and without expressing any opinion on the merits of case, this petition for anticipatory bail is dismissed.

29.11.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No