

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM No. M-43074 of 2015 (O&M)  
Date of Decision: 14.01.2016

Jatin Sharma

--Petitioner

Versus

State of Punjab

--Respondent

**CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. Sandeep Arora, Advocate for the petitioner.

Mr. R.S. Randhawa, Addl. A.G., Punjab.

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**TEJINDER SINGH DHINDSA.J**

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.191 dated 2.10.2015 under sections 457, 380 I.P.C registered at Police Station, Navi Baradari, Jalandhar.

Learned counsel for the parties have been heard.

F.I.R in question was registered on the statement of Dinesh Kumar Khanna. As per complainant's version he had stored money of around 14/15 lacs in a black bag in the house to facilitate construction. Such money was found missing around 23/24.9.2015. Allegations are that Shubham Kakkar i.e. son of sister-in-law of the complainant has stolen the money, who was a frequent visitor in the house and who was also stated to be in the know how of such money having been kept in the house as Shubham Kakkar along with Rohit i.e. son of the complainant had been sent for collection of such money on three or four occasions.

In so far as the present petitioner is concerned, he was not even named in the F.I.R. Petitioner is sought to be implicated on the disclosure statement of Shubham Kakkar, who was arrested during the course of

investigation.

The disclosure statement of Shubham Kakkar has been read out by learned State counsel, who is on instructions from S.I Vir Singh. Even as per such statement no role has been assigned by Shubham Kakkar to the present petitioner in so far as the act of theft is concerned. However, Shubham Kakkar, the main accused has stated that part of the money was entrusted to the present petitioner and even a car purchased from such stolen money had been given to the present petitioner for use. As per prosecution, even an amount of approximately Rs.11 lacs has been recovered from Shubham Kakkar and Rs.1,10,000/- has been recovered from the present petitioner.

Petitioner has been in custody since 8.10.2015.

Investigation in the case is complete and even the challan has been presented. The trial would take time to conclude. Recovery almost in full has already been effected. Even as per disclosure statement of main accused Shubham Kakkar the act of theft and stealing of money is not attributed to the present petitioner.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Jalandhar.

Petition disposed of.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**14.01.2016**  
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