

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

**CRM-M No. 16092 of 2018
DATE OF DECISION :- May 23, 2018**

Sudhir Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

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

Mr. Gaurav Bansal, AAG, Haryana.

This petition for regular bail has been filed by petitioner Sudhir Kumar, an accused in F.I.R. No. 38 dated 10.3.2018 for offences under Sections 457, 381 IPC registered with Police Station Saha, District Ambala.

Briefly stated the facts of the case as per the prosecution story are that complainant Rajiv Chouhan son of Rajkumar resident of House No. 274/07, Navneet Nagar, Ambala City had submitted a written complaint to the local police on 10.3.2018 mentioning therein that on the previous night he had kept Rs.2,45,000/- in the locker of Almirah kept in his factory premises, however, on the next day in the morning his brother who looks after factory management had telephonically informed him that amount had been stolen by some person. He returned from Delhi.

After registration of formal F.I.R., the matter was investigated.

Accused Sudhir Kumar, who had been working in the factory as a helper for

the last five months was arrested. He suffered a confessional statement and got recovered a sum of Rs.2,41000/- which were taken into possession. Challan against him has since been filed.

He had moved an application for regular bail which was dismissed by Additional Sessions Judge, Ambala vide order dated 5.4.2018. Now he has approached this Court for grant of similar relief. The request is being opposed by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel besides going through the record.

The accused is in custody since 12.3.2018. Recovery has already been effected from him. Though challan has been filed but trial is stated to be at initial stage and its conclusion is likely to take some time.

Without going into the merits of the case, I find that it would be in fitness of things if the present petition is allowed. The petition is accepted and the petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Ambala subject to the following conditions : -

- (i) he shall appear in the Court on each and every date of hearing.
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iii) he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and

condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

May 23, 2018
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No