

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

CRM-M-30811-2018
Date of decision: 27.07.2018

Uma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sushil Jain, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 200 dated 28.06.2018, registered under Section 381 read with Section 34 of the IPC at Police Station Civil Lines, Sonapat, District Sonapat.

Learned counsel for the petitioner submits that as per the allegations in the FIR, the complainant on 15.06.2018, while checking the stock of ornaments, raised a suspicion that there is deficiency in the stock and on watching the CCTV footage, it was found that the petitioner by putting some ornaments in her wearing garments has committed the theft.

Learned counsel for the petitioner further submits that in the FIR it is stated that when the complainant talked about this incident with the

petitioner and her husband Surender Kumar, they stated that they have committed the theft and in case the complainant does not take any legal action, they will return the stolen articles within ten days. Thereafter, on the expiry of the aforesaid time on 22.06.2018, instead of returning the stolen articles, the accused started threatening the complainant to implicate him in false case. Thereafter, the present FIR was registered. Learned counsel for the petitioner further submits that the petitioner is a first offender and there is no other case pending against her. It is further submitted that the petitioner is having two minor daughters and one minor son and there is nobody at home to look after them. Learned counsel for the petitioner further submits that three other accused, including the husband of the petitioner, have already been granted concession of regular bail by the trial Court. It is also submitted that the petitioner is not required for any further investigation and even she has given a complaint to the police against her employer.

Learned State counsel, on instructions from ASI Kuldeep, while submitting that recovery of some ornaments was made from the petitioner, has not disputed the fact that three co-accused of the petitioner have already been granted concession of regular bail by the trial Court.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that the petitioner is not involved in any other case; petitioner is a lady who is having four minor children to look after; three co-accused of the petitioner have already been granted concession of regular bail by the trial Court and also in view of the fact that conclusion of the the trial is

likely to take some time; the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

July 27, 2018

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No