

CRM-M-34038-2018

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

CRM-M-34038-2018

Date of Decision:10.08.2018

Sanket Gupta

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sanjay Kaushal, Sr. Advocate with
Mr. Kanwal Goyal, Advocate,
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

Mr. Sanjiv Kumar Yadav, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner-Sanket Gupta has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.269 dated 17.06.2018, registered at Police Station Kundli, District Sonapat, under Sections 147, 149, 454, 380, 427, 294 and 506 of IPC.

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

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I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that as per the allegations, the present petitioner was also a partner with one Deepak in the construction work of factory of complainant. As per the allegations, they gave threat on mobile phone to the complainant. On 08.06.2018, at about 4.00 P.M, Deepak alongwith 6-7 persons came there, broke lock of factory of complainant with JCB Machine, damaged the building and forcibly took away the goods from the factory. The allegation regarding trespass, breaking lock of factory and theft of goods are against co-accused, Deepak.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

10.08.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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