

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

CRM-M-44183 of 2018
Date of Decision:28.11.2018

Raju Kumar ShahPetitioner

Versus

Union Territory, ChandigarhRespondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vishal Kathuria, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. P.P., U.T., Chandigarh.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case First Information Report No. 275 dated 18.08.2018, under Sections 380 and 457 of the Indian Penal Code registered at Police Station Sector 17, Chandigarh.

It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case and is in custody since 18.08.2018.He further submits that the petitioner is the only bread earner of his family and that the trial is likely to take time, hence, he be enlarged on bail.

Learned State counsel has opposed the bail on the ground that the recovery has been effected from the petitioner. He further contends that the petitioner being an employee for more than 15 years, committed the offence of theft. He further submits that the present petitioner is not entitled

to the concession of regular bail and hence he prays for dismissal of the present petition.

Heard learned counsel for the parties and and perused the paper book.

As per accusation, the petitioner has breached the trust of his employer and committed the offence, which has shaken the very faith reposed in him by his employer. In case, the petitioner is admitted to bail, he may make all out efforts to dissuade the witnesses from deposing against him and thus, defeat the very case of the prosecution. In view of the above, the petitioner is not entitled for grant of regular bail. Thus, the petition stands dismissed.

The above observations, may not be construed as an expression of opinion on merits of the case.

[MAHABIR SINGH SINDHU]
JUDGE

November 28, 2018
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no