

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

CRM-M-46393-2018 (O&M)

Date of decision : 16.11.2018

Kanwar Pal **Petitioner**

Versus

State of Haryana **Respondent**

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ravinder Bangar, Advocate for the petitioner.

Mr. R.K.Ambavta, DAG, Haryana.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Heard.

Petitioner seeks regular bail under Section 439 of the Code of Criminal Procedure in case bearing FIR No. 0307 dated 14.6.2017 under Sections 409 & 420 IPC, Section 120-B IPC added lateron, registered at Police station City Yamuna Nagar, District Yamuna Nagar.

It comes out that it is the third application for bail filed by the petitioner. The allegations against the petitioner is that he was entrusted the job of putting the cash in ATMs and a shortage of Rs. 29,60,000/- was found which is attributed to the petitioner.

Earlier the bail application filed by the petitioner was dismissed vide order dated 25.5.2018 passed in CRM-M-13805-2018 titled as Kanwar Pal vs. State of Haryana on the ground that the petitioner may abscond. Now the period of six months have elapsed after the dismissal of the said

application. The petitioner was arrested on 27.7.2018.

All the offences are triable by the Judicial Magistrate Ist Class and custody of the petitioner is little less than 01 year and 04 months. In this case, only two witnesses have been examined after the dismissal of the last bail application and 20 witnesses are still left to be examined.

Whatever may be the reason, pending the trial there is no ground for further detention of the petitioner for indefinite period. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of Rs. 2,00,000/- with one surety of the like amount to the satisfaction of the trial Court subject to following conditions: -

- (1) Petitioner shall surrender his passport before the trial Court, if any, and shall not leave the country without prior intimation to the Court;
- (2) Petitioner shall not directly or indirectly give any inducement or threat or promise to any witness and
- (3) Petitioner shall attend the Court on each date before the trial Court and in case of his absence, trial Court shall be competent to cancel his bail.

Petition stands allowed accordingly.

(KULDIP SINGH)
JUDGE

16.11.2018
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Whether speaking / reasoned
Whether Reportable:

Yes
No