

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

208

**C.R.M-M No.1342 of 2019
Date of Decision : 22.01.2019**

Mohd. Nausad

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S.K. Agnihotri, Advocate
for the petitioner.

Mr. Himmat Singh, D.A.G., Haryana.

Mr. Sahil Sharma, Advocate
for the complainant.

AJAY TEWARI, J. (ORAL)

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.426 dated 15.12.2018 registered under Sections 381, 34 IPC at Police Station Udyog Vihar, District Gurugram.

The allegations were that the petitioner, who is an ex.-employee, alongwith certain current employees of the complainant was misappropriating goods (garments).

Counsel for the petitioner has argued that in the original FIR certain garments were mentioned and the petitioner was inculpated by a supplementary statement and as regards the first allegation the complete

details of the garments were mentioned but as regards the subsequent

statements no details were mentioned. Further the case of the petitioner was that the employer was angry because the petitioner has left the job and has falsely implicated him.

Counsel for the complainant and the learned Deputy Advocate General have strongly opposed the petition and have stated that the petitioner is guilty of receiving the garments which were misappropriated by the current employees and they have caused huge loss to their employer.

In the totality of circumstances, I am not persuaded to hold that the order of the Additional District Judge, Gurugram rejecting the bail calls for any interference.

Petition is dismissed.

Petition is allowed. Interim order dated 21.11.2018 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 22, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No