

228 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4039-2020

Date of decision-04.02.2020

Puneet Goyal

....Petitioner

Vs.

State of U.T.Chandigarh

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. G.S.Sandhu, Advocate for the petitioner.

Mr. D.S.Brar, APP., U.T.Chandigarh.

MANOJ BAJAJ, J.

Petitioner-Puneet Goyal has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.243 dated 22.09.2019 registered under Sections 380, 457 and 411 of Indian Penal Code, 1860 at Police Station Sector-31, Chandigarh. The petitioner is in custody since his arrest on 21.10.2019.

The present FIR was lodged on the complaint of Ashok Kumar Sharma son of R.K.Sharma, who is owner of R.C.Industries, Chandigarh wherein it was alleged that on 22.09.2019, when he went to his factory, it was found that 150 kg brass taps, paper holder and two brass swords were stolen by some unknown persons. Apart from the above articles, Rs.40,000/- cash was also missing. On these allegations, FIR was registered.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case as he is not even named in the FIR. According to him, the offences are triable by Magistrate and

investigation of the case is complete, therefore, further custody of the petitioner may not be necessary.

On the other hand, learned counsel appearing on behalf of U.T Chandigarh, opposed the prayer on the ground that the petitioner is involved in seven more cases. Therefore, petitioner does not deserve the concession of bail. However, it is not disputed that investigation of the case is complete.

After hearing learned counsel for the parties, this Court is of the opinion that offences are triable by Magistrate and trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

04.02.2020

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No