

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.207

CRM-M-23220-2022(O&M)
Date of decision: 31.05.2022

AASHISH

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

* * *

VINOD S. BHARDWAJ, J. (Oral)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.224 dated 21.04.2021 registered under Sections 408 and 420 of the Indian Penal Code at Police Station Sector 32-33, Karnal.

Learned counsel for the petitioner contends that the FIR in the present case has been registered at the instance of Sukhbir Singh Grewal who has alleged that the petitioner had been employed as Manager in the Jio store and that there was an inventory shortage of worth Rs.16,80,000/- approximately and that there was a shortage of cash as well.

Pursuant to the said allegations, the case was registered against the petitioner and at the disclosure of the petitioner four mobile phones and

a sum of Rs.70,000/- was recovered. Learned counsel submits that the petitioner was initially taken in custody on 22.04.2021 and he remained in custody up till 24.05.2021, whereupon he was granted interim bail on account of the prevailing Covid situation. The counsel for the petitioner submits that thereafter, he surrendered before the Court on 21.03.2022 and has been in custody since then. He further contends that it is a Magisterial trial and further custodial interrogation is not required as investigation in the case is already complete and final report stands filed.

Learned State counsel does not dispute the said fact. He submits that the petitioner is guilty of criminal breach of trust by having removed the property from the Jio store without any authorization and the said recovery has already been effected. He, however, could not dispute the fact that the case is a Magisterial trial and the petitioner has already been in custody for nearly three months and that even though the investigation in the case is complete, however, the charges have not been framed so far. It is also not disputed that there are no criminal antecedents of the petitioner and he is not involved in any other case.

Taking into consideration the facts noticed as above and the stage of the trial, I deem it appropriate to enlarge the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted to regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an

expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

31.05.2022
Amandeep

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No