

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

228

CRM-M-23758-2022

Date of Decision: 05.07.2022

Shiv Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Amandeep Singh Sandhu, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Krishan Chand.

Mr. J.S.Chandail, Advocate,
for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.66 dated 06.04.2022 at Police Station Phase-I, SAS Nagar, under Section 408 IPC and Section 43/66 of IT Act.
2. The FIR was lodged at the instance of Suman Puri, HR Head, Load Guru Private Limited, wherein it is alleged that two of their employees, namely Shiv Singh and Anu Sharma had left her company in January, 2022 without serving any notice. It is alleged that Anu Sharma left the company on the day she received her salary while stating that she is going for a meal break, but she never returned and later they received an email regarding her resignation, wherein she mentioned that she has all

the data of the company. It is further alleged that the accused had been enticing other employees to leave the company of the complainant. It is alleged that the accused even threatened to misuse the data.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that there is nothing on record to show that the petitioner had stolen any data from the office of the complainant and that in fact it is a dispute regarding dues of salary, which led to lodging of the present FIR.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that during the course of investigation, the complainant had furnished an audio recording pertaining to conversation between the petitioner and the complainant, wherein the petitioner has virtually admitted having stolen the data. Learned counsel for the complainant has submitted that the accused by stealing invaluable data had caused huge loss to the complainant's firm and that in these circumstances, the petitioner does not deserve the concession of bail. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 2 months & 20 days and that challan already stands presented though charges are yet to be framed. It has also been informed that the petitioner otherwise is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the nature of allegations against the petitioner and while also noticing that the investigation already stands concluded and that the petitioner otherwise has a clean record, no useful purpose would be

served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

05.07.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**