

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Crl. Misc.No.M- 20994 of 2014(O&M)

Date of Decision: February 13, 2015.

Jang Singh

..... PETITIONER (s)

Versus

State of Punjab and another

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Krishan Singh Dadwal, Advocate
for the petitioner.

Mr. K.S.Sidhu, DAG, Punjab.

Mr. Rakesh Gupta, Advocate
for respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Petitioner prays for anticipatory bail in FIR No.85 dated 23.05.2014, under Sections 420/406 IPC, registered at police station Sadar Khanna, District Khanna.

As per allegations against the petitioner, he has misappropriated paddy worth more than ₹8 Crores. The present FIR was registered on the basis

of a complaint of Markfed, Fatehgarh Sahib. Petitioner is running a rice mill in the name and style of M/s Amandeep Rice Mills Gram Udyog Samiti, village Bhadla Neecha, Tehsil Khanna District Ludhiana. Paddy to the tune of 292507 bags was entrusted to the said Rice Mill for milling. However, on inspection 104628 bags of paddy were found short.

Learned counsel for the petitioner submits that arbitration proceedings are already pending. Furthermore, proceedings under Section 138 of the Negotiable Instruments Act, 1881 have been initiated against him in respect to the security cheque issued by the petitioner. Present is, at best, a civil liability and petitioner cannot be foisted with any criminal liability in this case.

Learned counsel for respondents while vehemently opposing this application submits that the paddy was entrusted to the petitioner's mill and once shortage was found in the premises of the petitioner, offence qua the petitioner is made out. Petitioner has misappropriated paddy valuing more than ₹8 Crores thereby, causing a huge loss to the State exchequer.

Having heard learned counsel for the parties, I do not find any ground to extend the benefit of anticipatory bail to the petitioner especially keeping in view the specific allegations levelled against him regarding misappropriation of the paddy.

In view of the above, this petition is dismissed.

Any observations made here-in-above shall not be construed to be a reflection on merits of the case and shall have no bearing on trial.

February 18, 2015.
'om'

(**LISA GILL**)
JUDGE