

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-27074-2015

Date of decision: 20.8.2015

Sant Dass

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.S. Rai, Senior Advocate with
Ms. Danika Sachdeva, Advocate for the petitioner.
Mr. Ankur Jain, AAG, Punjab.
Mr. Aayush Gupta, Advocate for the complainant.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 406, 409, 420, 465, 467, 471, 120-B IPC at Police Station City Sunam, District Sangrur, vide FIR No.105 dated 02.06.2015.

Learned counsel for the petitioner submits that petitioner has been implicated falsely in the present case at the behest of main accused namely, Satinder, an employee of FCI. He had no role to play. He neither has any concern with P.K. Trading Company nor any connection with Satinder Kumar co-accused. Thus, petitioner deserves to be granted concession of pre-arrest bail.

Prayer has been opposed by learned State counsel on the ground that allegations against the petitioner are serious. A big fraud of public money has been committed. So, custodial interrogation of the petitioner is necessary.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged on the complaint made by Inderjit Singh, posted as Manager Accounts in Food Corporation of India at Sangrur. It was stated in the complaint that Satinder Kumar, A.G. (3), Technical Quality Inspector posted in Dhindsa Market Committee, Moonak for purchase of wheat. He in connivance with his accomplices Rajesh, Parveen and Sant Dass (petitioner herein) got a licence issued in the name of P.K. Trading Company for Moonak Market Committee. Bill books and other documents of the company were also got prepared and a bank account was opened in Federal Bank at Sunam. On 6.5.2015, in connivance with each other, it was shown in the record of FCI that purchase of wheat of Rs.82,74,940/- has been made and thereafter money was transferred from FCI to Federal Bank, Sunam. Huge amount was withdrawn from the account thereafter. Later on, it was found that no purchase was made nor wheat was shown to be actually existing in FCI Godowns. With these allegations, present FIR was got registered.

Keeping in view nature of allegations, petitioner is not entitled to concession of pre-arrest bail. A huge public money of Rs.82.00 lacs has been defrauded. Custodial interrogation of the petitioner is necessary to unearth such a fraud. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

20.8.2015
'Rajpal'