

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M- 3608 of 2015  
Date of decision: March 23, 2015

Amanjit Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Inderjit Sharma, Advocate  
for the petitioner.

Mr. R.S. Sidhu, AAG, Punjab.

**Jaspal Singh, J.(Oral)**

Instant petition has been preferred by Amanjit Singh under Section 438 Cr.P.C. seeking pre-arrest bail to the petitioner in case FIR No. 265 dated December 12, 2014 under Section 420 IPC and Section 7 of Essential Commodities Act, 1955, registered at Police Station Talwandi Sabo, District Bathinda, during the pendency of trial.

Shortly put the case of prosecution unfolded by Mukesh Kumar-complainant, who is proprietor of factory under the name and style of M/s G.S. Brothers, Rampura Phul registered with Central Government and valid upto November 20, 2020, is that his firm deals in manufacturing of Helton Vegetable Oil and supplies the same in near by markets. He came to know that in the area of Talwandi Sabo, Vicky Setia along-with Narender Kumar are engaged in preparing duplicate vegetable oil and along-with their driver Amanjit Singh. They used to supply the same on less rates and thereby, cheating the people as well as their firm. Subsequent thereto, a raid was conducted and 10 Tins of 150 Kgs and 40 cartoon in which 30 boxes containing 450 Mls each of oil were recovered which do not belong to complainant's firm. The said oil as well as labels thereon, have been prepared without any authorisation of their firm.

It is an undisputed fact that petitioner is driver by profession and was serving on canter/pick up van bearing registration No. PB-03-AC-0814 from which the recovery of duplicate oil is alleged to have been affected. He has already joined the investigation in compliance of order dated December 16, 2014 passed by learned Additional Sessions Judge, Bathinda. At that time he has unfolded before police that his services were engaged by Vicky Setia. He has also furnished builtty issued by Sandeep Kumar, President of Vehicles Union. So, he cannot be said to have conspired with Vicky Setia either for preparation of duplicate oil or for transportation thereon. Since, he has already joined the investigation his further custodial interrogation is not required.

Accordingly, instant petition is allowed and in the event of arrest, petitioner shall be released on interim bail to the satisfaction of Investigating Officer. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438 (2) of the Code of Criminal Procedure.

**March 23, 2015**  
*sham*

**(JASPAL SINGH)**  
**JUDGE**