

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

CRM-M-37616 of 2015

Date of decision: November 06, 2015

Satwant Singh Brar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. T.S. Sangha, Senior Advocate with
Mr. Narinder Singh, Advocate and
Mr. Rajiv Kataria, Advocate, for the petitioners.

Rajan Gupta, J.

This order shall dispose of two Crl. Misc. Petitions bearing Nos.CRM-M-37616 of 2015 and CRM-M-37246 of 2015, filed by petitioners Satwant Singh Brar and Nirankar Singh respectively, under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioners under Section 7 (1) of Essential Commodities Act, 1955, Section 13/18/21-B of Insecticides Act, 1968, Sections 420/186 IPC, Sections 7, 8, 28 (1) A, 28(1) D and 35 of Fertilizers Control Order, 1985, Section 7, 13 (1) D of Prevention of Corruption Act and Section 120-B IPC at Police Station Raman, District Bathinda, vide FIR No.122 dated 2.9.2015.

Learned counsel for the petitioners submit that petitioners have nothing to do with the alleged offences and they have been implicated falsely in the present case. They submit that both the petitioners are not named in the FIR and their names were added later on. There is no evidence

against them that they had conspired with the partner of Coromandel Crop Science, Raman Mandi. Thus, petitioners deserve concession of pre-arrest bail.

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

Initially, FIR in the present case was registered on the basis of letter submitted by Surinder Kumar, Insecticide Inspector, Talwandi Sabo against Dr. Mangal Singh Sandhu, Director, Agriculture Department, Punjab as well as the present petitioners namely, Satwant Singh Brar and Nirankar Singh, who are Joint Directors in the Department, alleging that on 2.9.2015 M/s Coromandel Crop Science near Bus Stand Raman Mandi established unauthorized godown on Talwandi Sabo to Phulo Khari Road, Raman Mandi. Inspector Surinder Kumar alongwith Bharat Bhushan, Agricultural Development Officer checked the godown. The godown was locked. Message was sent to Shubham Goyal, partner of the said firm but he did not reach the spot. Lock of the godown was broken in presence of Sub Divisional Magistrate, Talwandi Sabo and Bharat Bhushan, Agricultural Development Officer-cum-Insecticide Inspector. Unauthorized fertilizer and insecticide were found. Samples were taken out which were sent to different chemical laboratories. On 3.10.2015, Sukhpal Singh suffered statement that his friend Ankush Goyal son of Hem Raj installed Ganesh Fertilizer and Chemical Factory for making mixture of fertilizers. He also stated that petitioner Satwant Singh Brar took bribe of Rs.6.00 lacs and petitioner Nirankar Singh took bribe of Rs.70,000/- from him. Gurdeep Singh son of Bant Singh also suffered statement on 3.10.2015 that Subham Goyal and Vijay Kumar disclosed to him that Dr. Mangal Singh Sandhu, Director,

Agriculture Department, Punjab took an amount of Rs.8.00 lacs as bribe from him. Therefore, vide Rapat No.20 dated 3.10.2015, offence under sections 7,13(1) D of Prevention of Corruption Act and Section 120-B IPC were added against Dr. Mangal Singh Sandhu as well as the present petitioners.

Keeping in view the allegations against the petitioners, I am of the considered view that they are not entitled to concession of pre-arrest bail. Both the petitioners were holding responsible posts. Custodial interrogation of the petitioners may be necessary to take the investigation to its logical end. Both the petitions are without any merit and are hereby dismissed.

(RAJAN GUPTA)
JUDGE

November 06, 2015
'Rajpal'