

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

CRM-M-40266-2014 (O&M)

Date of decision : 09.02.2015

Baldev Singh Bhuttar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. JP Singh, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Lakhbir Singh.

Mr. Vikas Kuthiala, Advocate for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 439 of the Code of Criminal Procedure is for grant of regular bail in case FIR No.33 dated 02.04.2011, registered under Sections 406, 409 of the Indian Penal Code, at Police Station Makhu, Distt. Ferozepur.

It is contended that the petitioner is not named as accused by the complainant-MARKFED. It is the contractor/co-accused, Iqbal Singh, who is responsible for any loss caused. Even as per Annexure P-4, i.e. reply to the query by the office of Superintendent of Police (D), Fazilka, pertaining to similar matter, it has been stated on behalf of

the complainant that the role of MARKFED staff was only of supervisory nature.

On the other hand, the learned State counsel, on instructions, states that the total loss caused to the complainant has been assessed to Rs.83.00 lacs.

Heard.

Food grains worth Rs.83,53,850/- meant for the general public, have allegedly been embezzled by the petitioner being the Branch Officer, Markfed Makhu (Supervisory Officer) and Iqbal Singh of M/s Prem Kumar & Company Malaut, being the contractor, in active connivance with each other. Keeping in view the seriousness of the offence committed, however, without adverting to the merits of the case, the present petition for grant of bail is dismissed, at this stage.

Dismissed.

09.02.2015

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(JITENDRA CHAUHAN)
JUDGE