

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

***CRM No.M-1107 of 2016 (O&M)
Date of Decision: 18.01.2016***

Nitesh Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Satish Goel, Advocate for the petitioner.
Mr. K.D. Sachdeva, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA.J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.35 dated 14.07.2014, under Sections 406/409/420 IPC and Section 7 of Essential Commodities Act, registered at Police Station Mehal Kalan, District Barnala.

FIR was registered on the complaint of District Manager of Punjab State Civil Supplies Corporation Ltd./PUNSUP, Barnala. Primarily allegation against the petitioner as also his partner of M/s Shri Kuber Rice Mills is with regard to misappropriation and embezzlement of 9,800 quintals paddy approximately.

Counsel would apprise the Court that an Arbitrator having been appointed, award has been rendered as regards a sum of Rs.2,35,28,629/-. Objections have been filed under Section 34 and the award is a subject matter of challenge.

Petitioner has been in custody since 18.11.2015. Investigation in the matter having been completed, challan has just been presented.

Charges are yet to be framed and the trial, as such, would take time to

conclude.

Counsel appearing for the petitioner would bring to the notice of this Court that under the orders of the District Manager, PUNSUP, even the residential property of the petitioner carrying a value in excess of Rs.2 crores has already been mortgaged with PUNSUP and as such, the interest of the procurement agency are stated to be well protected.

Without making any observations on merit, prayer of the petitioner seeking the benefit of regular bail is allowed. Petitioner be enlarged on bail subject to the satisfaction of CJM/Duty Magistrate, Barnala.

Disposed of.

18.01.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**