

**Sr. No. 107
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No. M-1813 of 2016
Date of decision: 19.01.2016**

Sanjeev Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Simranjeet Singh Sarwara, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in FIR No.103, dated 23.12.2015 under Sections 406, 420 and 120-B of Indian Penal Code, registered at Police Station Sadar Rajpura, District Patiala, Punjab.

Counsel for the petitioner has been heard at length.

Perusal of the FIR would reveal that the same has been registered on the basis of complaints having been furnished by as many as 36 complainants who have alleged that they are agriculturists/farmers and used to sell their crop to the petitioner who is a commission agent and running a firm under the name and style of M/s Kishan Chand, Rajesh Kumar, Grain Market, Basantpura and M/s Kishan Chand Sanjeev Kumar commission agent Shop No.59B, New Grain Market, Rajpura Town.

Allegations are that the commission agent/petitioner used to give kachchi receipts to the farmers and having taken the crop, has not settled the outstanding dues. Further allegations are that the

commission agent shut down the shop and has run away. The total amount due to the 36 complainants/farmers is reflected to be in excess of Rs.2 crores.

Counsel appearing for the petitioner would argue that the dues have been settled with a number of complainants. As per him, dues of 9 farmers are still outstanding to the extent of Rs. 13 lacs approximately. It is also contended that the petitioner is owning immovable property worth crores and as such the interest of the farmers would stand duly protected in course of time.

The submissions raised by the counsel do not inspire confidence. Concededly, a number of farmers have been duped. Their crop has been taken but their dues have not been paid. This Court would not proceed oblivious of the hard reality in the State as regards the plight of the farmers who are ending their lives only on account of their miserable financial position.

It would be no solace for the farmers who have not been paid the dues in respect of their crop to be informed that the commission agent is owning property worth crores and his dues accordingly would be settled after such property is sold. Farmers lives life by the day.

In the considered view of this Court, no indulgence can be shown to the present petitioner and he does not deserve to be insulated by an order of anticipatory bail.

Petition is dismissed.

January 19, 2016

Vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**