

CRM-M No.1991 of 2016

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

CRM-M No.1991 of 2016

Date of Decision:-25.02.2016

Rajinder Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Pratham Sethi, Advocate for the Petitioner.

Mr. Kuldeep Tewari, Addl.A.G, Haryana.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of regular bail in FIR No.349 dated 17.12.2014 under Sections 420/409/120-B IPC (later on Sections 467,468,471 IPC were added) and 13 (1)(d) of the Prevention of Corruption Act, P.S Sadar Tohana, District Fatehabad.

As per the allegations of the Food and Supplies Department, there was a scam of mis-utilization of paddy and custom milled rice for the session 2014-2015 equivalent to an amount of Rs.14 crores based on forged invoices and documents. There is involvement of commission agents i.e *Ardtis*, Rice mill owners and the officials of the Food and Supply Department. As per allegations, surfacing in the investigation,

the petitioner-Rajinder Kumar is a Manager in a Rice Mill functioning in the name and Style of M/s Shiva Ji Foods Chander Kalan whose sole proprietor is co-accused Harpreet. The petitioner was engaged to manage the affairs of the Mill due to his long experience in the field and is alleged to have facilitated the fabrication of records leading to mis-utilization of public funds.

Learned counsel for the petitioner submits that the petitioner is in custody since 16.12.2015 and the investigation qua him is over. He further submits that some of the co-accused, namely, Jagdish Rai Singla and Anil Kumar allegedly involved in the said scheme have since been released on regular bail.

Learned state counsel, on instructions from DSP Mahavir Singh, does not refute the aforesaid factual position.

Without commenting upon the merits of the case and keeping in view the parity of treatment and the fact that the trial is not likely to conclude in near future, no useful purpose would be served in keeping the petitioner in custody any longer.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Fatehabad.

**(JASWANT SINGH)
JUDGE**

February 25, 2016
manoj