

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

CRM-M-19952-2016 (O&M)

Date of decision : 27.08.2016

Happy Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Janak Singh Bhinder, Advocate,
for the petitioner.

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

Mr. Rajbir Singh, Advocate,
for co-accused Bhagwant Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in FIR No.48 dated 13.04.2016, registered under Sections 406, 420 and 120-B of the Indian Penal Code, at P.S. Samana, Distt. Patiala.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. He has been implicated on the disclosure statement of co-accused Kulwinder Singh that Kuldeep Bhardwaj, Gulab Singh and the present petitioner had sold the deficient stock to the father of the petitioner, namely, Dev Raj Sharma. The petitioner has no concern with the firm D.R. Mill, Village Dayalpura.

On the other hand, learned State counsel submits that the petitioner and his co-accused prepared fake letter pads, stamps and gate passes of BP Rice Mills, Bhawanigarh and sold government stock thereby causing loss of about Rupees sixty lacs to the department. She further informs that though the petitioner has joined the investigation, be he is not cooperating.

Heard.

The mill in question was leased to co-accused Kuldeep Bhardwaj, vide lease deed dated 29.09.2015. One metric ton paddy was allotted which was duly returned to the agency, i.e. Pungrain. However, the petitioner and other co-accused, after forging the documents, procured another one metric ton paddy. Despite repeated opportunities, the petitioner is not cooperating in the investigation. Therefore, no case for grant of bail is made out.

Dismissed.

Nothing noticed hereinabove shall be construed as an expression of opinion of the Court on the merits of the case.

27.08.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No