

CRM-M-3681-2016

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

CRM-M-3681-2016

Date of decision : 08.04.2016

Rakesh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. A.S. Lakhanap, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl.AG, Haryana.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of anticipatory bail in case FIR No. 969 dated 29.7.2015 under Sections 406, 409, 420, 468, 471 IPC read with Section 7/10/55 of Essential Commodities Act,1955, PS Gurgaon City.

Petitioner is a Transporter assigned the contract of lifting foodgrains from the Warehouses of CONFED and supplying the same to various Depot Holders.

Present FIR has been lodged on the basis of complaint made by Naresh, a Depot Holder to the Food & Supplies Department with the allegation that he did not receive 17.55 quintals of wheat meant for public distribution system for the month of June 2015 till 20.6.2015.

By referring to document(P-1) it is submitted that said

Naresh had refused to unload the wheat consignment on 13.6.2015 i.e. the day it was lifted from the Warehouse and therefore, no offence is made out.

It is next contended that the petitioner has joined investigation and fully cooperated.

Learned State counsel, on instructions from ASI Jaipal Singh, concedes that the petitioner has joined investigation, recovery has been effected and his custodial interrogation is no longer required.

In view of the above, anticipatory bail granted vide order dated 04.02.2016 is made absolute.

The petition stands disposed of.

(JASWANT SINGH)
JUDGE

April 08, 2016.
Davinder Kumar