

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

CRM-M No. 37638 of 2015 (O&M)

Date of Decision: 10.02.2016

Iqbal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Aman Dhir, Advocate
for the petitioner.

Mz. Rimplejeet Kaur, AAG, Punjab
for the respondent/State.

JASWANT SINGH, J. (ORAL)

CRM No. 4325 of 2016

Prayer in the present application under Section 482 Cr.P.C. is for placing on record the bail order of co-accused/non-applicant-Jaswinder Singh, dated 11.07.2014, passed by learned Additional Sessions Judge, Ferozepur as Annexure A-1.

For the reasons stated in application, the same is allowed and the document as Annexure A-1 is taken on record.

MAIN CASE

Prayer is under Section 439 Cr.P.C. for grant of regular bail on behalf of the accused-petitioner in case FIR No. 37, dated 02.04.2011, for offences punishable under Sections 406 and 409 of the Indian Penal Code, registered at Police Station Guruhar Sahai, District Ferozepur.

The petitioner was awarded a contract by the Markfed for the storage and maintenance of the wheat stocks for the Season 2009-2010. Thereafter, it was extended.

On verification of stocks, there was a shortage of 63543 wheat bags worth Rs. 5,19,27,600/-. Accordingly, the FIR was lodged against the petitioner and the co-accused/non-applicant-Jaswinder Singh.

It is submitted that the petitioner is in custody since 23.04.2015. It is further submitted that the co-accused/non-applicant-Jaswinder Singh, who was jointly responsible for the custody of the wheat stocks along with the petitioner, has since been granted regular bail by the trial Court vide order dated 11.07.2014.

Learned State Counsel is unable to refute the contention qua grant of bail to the co-accused/non-applicant-Jaswinder Singh.

Without commenting on the merits of the case, keeping in view the parity of treatment; custody period of the petitioner and the facts noticed above; this Court finds that the petitioner deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

February 10, 2016

'dk kamra'

**(JASWANT SINGH)
JUDGE**