

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

CRM-M No.41747 of 2015

Date of Decision:-30.03.2016

Lal Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. G.S. Brar, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by Inspector Devinder Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Lal Singh in case FIR No.316 dated 31.10.2015 for offence punishable under Section 409 of Indian Penal Code registered with Police Station City Barnala, District Barnala.

The District Manager, Markfed, Barnala has lodged the FIR qua misappropriation of a huge amount of paddy under the custody of Ram Singh, Salesman(custodian) as also the present accused Lal Singh, Branch Manager.

This Court while issuing notice of motion vide order dated 14.12.2015 granted interim protection to the petitioner on the basis of an

affidavit dated 09.10.2015 (P-4) furnished by the co-accused Ram Singh, acknowledging the entire responsibility of the missing paddy.

Learned State Counsel assisted by Inspector Devinder Singh submits that said Ram Singh has since been arrested on 09.03.2016 and during his interrogation it has been found that the said affidavit was obtained under coercion from Ram Singh, who has completely disowned the contents of the affidavit. It has further been found that the petitioner was actively involved with the said Ram Singh in misutilising and misappropriating the paddy in their custody.

Keeping in view the above, it is apparent that the custodial interrogation of the petitioner would be required to have a proper and fair investigation.

Dismissed.

(JASWANT SINGH)
JUDGE

March 30, 2016
Vinay