

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

CRM-M-9300 of 2016.  
Decided on:-18.10.2016.

Jagpreet Singh and another

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

***CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.***

Present:- Mr. Ashok Bhardwaj, Advocate  
for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Gautam Dutt, Advocate  
for the complainant.

**HARI PAL VERMA, J.**

Prayer in this petition filed under Section 438 Cr.PC is for grant of anticipatory bail to the petitioners in case FIR No.222 dated 30.12.2015 under Sections 406 and 420 IPC registered at Police Station Mehatpur, District Jalandhar.

As per the aforesaid FIR, the complainant and other farmers had stored their potato seeds in Pannu Cold Store which is owned by petitioner-accused Jagpreet Singh whereas petitioner-accused Jasvir Singh is the Manager of the said cold store. About 50 persons had stored their seed stock and the rent of the store was paid in advance. But the complainant and other farmers came to know that the accused had sold the seed stock to some other

persons. It is only when the complainant approached the accused to collect the seed and when neither the seed stock was returned nor refund was made, the factum of misappropriation was noticed.

Learned counsel for the petitioner has argued that nothing is to be recovered from the petitioner. Petitioner No.1 has no role in the Pannu Cold Store as the said store was divided into two portions. One portion was being managed and controlled by Puran Singh Pannu, who is father of petitioner No.1, whereas the other part was managed and controlled by petitioner No.1. The portion which was under the management and control of petitioner No.1 was not in working condition and, therefore, was lying closed. The portion under the management and control of father of petitioner No.1 is non-operational as his father Puran Singh is in jail in case FIR No.9 dated 11.1.2014 registered at Police Station Salem Tabri. Petitioner No.1 has been implicated just to pressurize him so that the money can be extracted from him. Similarly, petitioner No.2 is merely an employee of Pannu Cold Storage. The dispute, if any, is of civil in nature.

On the other hand, learned State counsel as well as learned counsel for the complainant have argued that the petitioners have cheated innocent farmers. Not only, their products have been disposed of and the money has been misappropriated, rather, the complainant was made to pay the rent in advance. In this manner, the complainant and other farmers were made to pay rent in advance so as to store their potato seed and further the said stock has been sold by the petitioners and the receipts have been

misappropriated.

I have heard learned counsel for the parties.

On March 16, 2016, learned counsel for the petitioners had submitted that in case appropriate claim is raised by any person, the petitioners are ready to settle the claim on production of relevant documents. In this manner, the petitioners were granted interim bail subject to their joining the investigation. Thereafter, repeated orders were passed including the orders dated May 19, 2016 and July 26, 2016. It was on July 26, 2016, learned counsel for the petitioners contended that the claim will be settled only against the original receipts issued by the proprietor of the Pannu Cold Store. However, despite various adjournments, claim of the complainant farmers was not satisfied by the petitioners and in this way, the petitioners have neither returned the potato seed nor they have reimbursed the complainant or any other victims. The enquiry was conducted by the police and it revealed that the petitioners in connivance with each other have misappropriated the potato seeds and they have cheated their customers.

Despite having been granted interim bail to settle the dispute, the petitioners have not settled the claim of the complainant/innocent farmers. As per the FIR, the petitioner No.1 Jagpreet Singh has been shown to be proprietor of the Pannu Cold Store whereas petitioner No.2 Jasvir Singh is the Manager of said cold store. Therefore, it cannot be accepted that they are not associated with the cold store in question.

Considering the fact that the petitioners have not honoured

various orders of this Court after obtaining the relief of interim bail and serious allegations have been levelled against them, no case for grant of anticipatory bail is made out.

The present petition is, accordingly, dismissed.

**October 18, 2016**

Yag Dutt

**(HARI PAL VERMA)  
JUDGE**

Whether speaking/reasoned: Yes / No

Whether Reportable: Yes / No