

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

CRM-M-9881-2016 (O&M)

Date of decision : 25.07.2016

Sushil Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ritesh Pandey, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Surinder Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.9 dated 14.02.2016, registered under Sections 420 and 406 of the Indian Penal Code and Section 7 of the Essential Commodities Act, at P.S. Ghuman, Police District Batala, District Gurdaspur.

Heard.

On 11.04.2016, the following order was passed:-

“F.I.R has been registered on the broad allegations that one Sukhdev Singh, Depot Holder under the protection and consent of Area Inspector i.e. the present petitioner is selling Govt. wheat in the open so as to rake in profit.

Contention raised by the counsel is that the F.I.R was registered on secret information and the recovery that has been effected from Sukhdev Singh was not Govt. wheat and in any case there is no report/complaint from any procurement agency with regard to shortage of Govt. wheat.

List on 25.7.2016.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 11.04.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

25.07.2016
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(JITENDRA CHAUHAN)
JUDGE