

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

CRL. MISC. No.M-21002 OF 2017 (O&M)
DATE OF DECISION : 12th SEPTEMBER, 2017

Surinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Bhanu Pratap Singh, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.29 dated 25.02.2017 registered under Sections 409, 420, 465, 467, 468 & 471 IPC at Police Station Tanda, District Hoshiarpur.

Heard learned counsel for the rival parties.

The petitioner and his co-accused Jarmanjit Singh are being prosecuted in the aforesaid FIR for misappropriation of 5140 bags of animal feed amounting to ₹49,34,400/- out of which an amount of ₹9,37,012/- has been deposited by the accused and the amount comes to ₹39,97,388/-. The petitioner and his co-accused are the employees of Markfed Branch Tanda, Hoshiarpur. The petitioner was arrested on 31.03.2017 and in jail since then. The challan has been filed against him

while due to the anticipatory bail petition by the co-accused he has not been named in the challan for the present.

In my opinion, since the offence is triable by the Magistrate, there is no point in continuing the detention of the petitioner as under trial. However, the petitioner and his co-accused are required to be prosecuted against in the departmental enquiry since there is loss of huge amount to the Markfed has been caused by the acts of the petitioner as alleged by the prosecution.

In that view of the matter, I am inclined to grant bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-21002 OF 2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The Markfed Branch Tanda, Hoshiarpur is directed to quantify the loss caused by the petitioner and his co-accused Jarmanjit Singh and shall proceed against them in departmental enquiry for their misconduct. The departmental enquiry shall be completed within a period of six months from today.

12th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>