

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

**CRM-M No.35495 of 2016(O&M)  
Date of Decision: 30.01.2017**

Rajeev Kumar

.....Petitioner

Versus

State of Haryana

... Respondent

**CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present:Mr. A.P.S. Deol, Sr. Advocate with  
Mr. H.S. Mavi, Advocate  
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

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**RAJ MOHAN SINGH, J.(ORAL)**

**CRM No.33797 of 2016**

For the reasons mentioned in the application, the same  
is allowed.

Accompanying document is taken on record.

**Main case**

Petitioner seeks anticipatory bail in case bearing FIR  
No.790 dated 11.09.2016 registered under Sections 409, 420,  
427 IPC and Section 3 of Prevention of Damage of Public  
Property Act, 1984 at Police Station Sadar, Karnal.

Petitioner along with one Ajit Singh were deputed at  
Jundla Centre w.e.f. 12.04.2016 and 05.04.2016 respectively.  
Allegations were that they were responsible for the damage  
caused to the Rabi crop (wheat) for the season 2016-17. Wheat

bags at the Jundla Centre were found damaged on account of exposure to excess water as the bags were stocked in open plinth. Negligence was attributed to the petitioner along with his co-accused Ajit Singh.

Learned counsel for the petitioner submitted that there was no shortage found as per physical verification dated 01.07.2016, which was carried out by a team consisting of higher officers. As per letter dated 10.06.2016 issued by the Manager, Food Corporation of India to the Inspector, Food & Supply Department, Nirmal Plinth Jundla, polythene covers over the stocked wheat bags were reported to be in precarious condition. As a matter of fact, Food and Supply Inspector, Jundla reported to Food and Supply Controller, Karnal (wrongly typed as Rohtak in the translated version) that available material in terms of wooden crates, P/cover, mess nets, aluminium phosphine, delta methrine and melathin were short in Jundla Centre.

Learned State counsel on instructions from ASI, Krishan Kumar submitted that co-accused Ajit Singh has already been granted anticipatory bail on these allegations.

In view of aforesaid, petitioner is directed to appear before the Investigating Officer to join investigation on 06.02.2017. In the event of his arrest, he shall be enlarged on

anticipatory bail, subject to the satisfaction of Arresting Officer.

However, petitioner shall abide by the following conditions incorporated under Section 438(2) Cr.P.C i.e.

1. That he shall make himself available for interrogation by a police officer as and when required;
2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
3. That he shall not leave India without prior permission of the Court.

Disposed of.

Nothing expressed hereinabove would be construed to be an opinion on merits of the case in any manner.

30.01.2017  
prince

**(RAJ MOHAN SINGH)**  
**JUDGE**

**Whether Reasoned/Speaking**

**Yes/No**

**Whether Reportable**

**Yes/No**