

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

CRM-M No.43085 of 2017

Date of decision: 20th November, 2017

Padam Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Kuldeep Singh, Advocate for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J.

Allegations against the petitioner Padam Singh in this regular bail application filed under Section 439 Cr.P.C. in case bearing FIR No.84 dated 30.01.2015 registered at Police Station City Hansi, District Hisar under Sections 409, 420, 463, 465, 467, 468, 471, 201, 120-B, 148, 149 & 204 IPC, are to the effect that between 01.04.2011 to 07.10.2014, the petitioner while posted as Assistant Food Supply Officer along with his co-accused/officials of CONFED managed to divert food grains meant for supply to depot holders to be sold at subsidized rates and fudged the official records to show that the same has been sent to the concerned depot holders and thus, in the process embezzled 2177 quintals of wheat in the year 2011 alone, and on complaint by one of the depot holders and enquiry present case was got registered.

Contentions of learned counsel for the petitioner Mr. Kuldeep Singh, Advocate are that the prosecution story is highly unbelievable and the petitioner has been falsely implicated.

Learned State counsel has stoutly opposed grant of bail to the petitioner on the grounds of seriousness of the allegations and heinousness of the offence and that if allowed bail the petitioner would influence the witnesses.

A perusal of the records reflects that besides the present FIR, three more cases bearing FIR No.564 dated 19.09.2012, FIR No.10 dtd 16.04.2012 and FIR No.28 dated 21.07.2015 have been registered regarding such a scandal which is on similar lines. The matter is at crucial stage of investigations and the witnesses being officials of the department, if granted bail the petitioner would certainly influence them and jeopardize the fair investigations as well as would stifle the trial. More so, there are serious allegations of having embezzled food grains from public distribution system meant for the downtrodden. Thus, in the light of seriousness of the allegations and heinousness of the offence and in view of the apprehension of the State that if allowed bail petitioner would influence the witnesses, does not call for grant of bail. Finding no merit, the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

November 20, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No