

Sr. No.203

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-45802 of 2016 (O&M)

Date of Decision:20.03.2017

Ritika Aggarwal and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr.G.B.S.Dhillon, Advocate,
for the petitioners.

Ms. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.134 dated 14.07.2015 under Sections 7, 8, 12, 13, 14, 15, 19 of Fertilizer Controller Order and Section 3 (7) of the Essential Commodities Act, 1955 and Sections 420, 120-B of IPC, registered at Police Station Division No.6, Industrial Area, Ludhiana, District Ludhiana.

While issuing notice of motion, the following order was passed by this Court on 11.01.2017:-

“The accusation primarily is with regard to M/s Fertile India Agro Tech. Limited, Ludhiana manufacturing, storing and selling of fertilizers in an unauthorized manner inasmuch as without having a valid licence to do so.

Counsel would inter alia contend that co-accused Vivek Aggarwal was running the company for all intents and purposes and the present petitioners, who happen to be the wife and brother of main accused Vivek Aggarwal were made Directors but in actual terms had nothing to do with the day to

day affairs of the company. Counsel further contends that main accused Vivek Aggarwal was arrested on the spot and, thereafter, has been granted benefit of regular bail. Still further asserted that the fertilizers, other products which form part of the allegations already stand recovered from the premises of the company and under such circumstances custodial interrogation of the petitioners would not be warranted as they are otherwise ready and willing to join investigation.

List on 20.03.2017.

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

Learned State counsel upon instructions from ASI Davinder Singh apprises the Court that the petitioners have since joined investigation and are not required for any custodial interrogation.

Accordingly, prayer made in the present petition is accepted.

Order dated 11.01.2017, passed by this Court, is made absolute.

Disposed of.

20.03.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No