

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-46794 of 2016 (O&M)
Date of Decision: 06.03.2017

Amit Kumar

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Ravinder Bangar, Advocate for the petitioner.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.596 dated 20.12.2016 under sections 409, 420 I.P.C, registered at Police Station, Safidon, District Jind.

On 30.12.2016, while issuing notice of motion, the following order was passed by this Court:-

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.596 dated 20.12.2016, under Sections 409/420 of Indian Penal Code, registered at Police Station Safidon, District Jind.

Counsel would submit that the petitioner is serving as a Field Inspector with HAFED. The FIR in question has been registered on the statement of District Manager, HAFED, Jind with the allegations that in pursuance to an inspection having been conducted on 20.12.2016 moisture content in excess of the permissible parameters was found in a particular wheat stock. Counsel would advert to a joint inspection conducted thereafter on 21.12.2016 in which even the Technical Officer (Storage) HAFED, Panchkula, Manager/Incharge, HAFED, Safidon, District Manager,

HAFED, Jind were associated and in such inspection report, it had clearly been opined that the stock in question is healthy and dispatch worthy.

Further submitted that the petitioner in any case is ready and willing to join investigation.

Notice of motion, returnable by 06.03.2017.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/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 upon instructions from ASI Karan Singh would apprise the Court that the petitioner has since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 30.12.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

06.03.2017

lucky

Whether speaking/reasoned: Yes

Whether Reportable: No