

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

**Crl. Misc. No.M-6678 of 2017 (O&M)
Date of Decision: July 11, 2017**

Zile Singh

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kartar Singh, Advocate
for the petitioner (s).

Mr. Deepak Grewal, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.598 dated 05.11.2014 registered for the offence punishable under Section 409 read with Section 34 of Indian Penal Code, at Police Station Hodal, District Palwal.

Heard.

Learned State counsel submits that petitioner has since joined the investigation.

As per the allegations in the FIR, 58007 bags of wheat were found short on inspection. The petitioner is a driver of the truck which was used for carrying the wheat stock from one godown to other godown. The wheat was primarily under the supervision of the official of the department.

As to whether the petitioner was a conspirator, is a fact to be determined by the Investigating Officer on the basis of material which has come before him.

Keeping in view the above fact but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 27.03.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

July 11, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***