

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-1350 of 2018 (O&M)

Date of Decision: 24.01.2018

Jiwan Kumar

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. R.S. Attri, Advocate for the petitioner.

Mr. S.S. Sandhu, A.A.G., Punjab.

Mr. S.S. Brar, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.10 dated 9.2.2017 under sections 420, 406 I.P.C, registered at Police Station, Sherpur, District Sangrur.

Learned counsel for the parties have been heard.

FIR has been registered against the allegations of misappropriation of paddy stock entrusted to the petitioner by the State Procurement Agency i.e. Pungrain. Petitioner is stated to be running a rice mill which has been leased out to him by one Darshan Singh.

Petitioner was arrested on 31.10.2017.

Learned State counsel upon instructions from ASI Jaspal Singh submits that challan has not been presented as of date, although, investigation has been concluded.

Counsel has adverted to a tabulation contained in para 6 of the petition which would show the outstanding paddy to be 2013 quintals which in pecuniary terms translates to Rs.29 lacs approximately. As per counsel

for the petitioner there is a security/transaction charges already deposited with Pungrain to the extent of Rs.16,86,969/-.

Argument raised is that it is essentially a case of rendition of account/stock.

It has also gone uncontroverted that arbitration proceedings have taken place between Pungrain and the petitioner and the final award is awaited.

In the considered view of this Court, no useful purpose would be served by keeping the petitioner in custody.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Sangrur.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

24.01.2018

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No