

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

**CRM-M-19946-2018
Date of decision: 15.10.2018**

Mahesh Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 82 dated 08.03.2018, under Sections 120-B, 409, 420 IPC and Sections 7, 10, 55 of Essential Commodities Act, 1955, registered at Police Station City Dadri, District Charkhi Dadri.

The operative part of the order dated 22.05.2018, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that the FIR has been registered on the premise that since the petitioner is nominee of the depot holder Vijay Kumar, he has committed the offence. It is further submitted that in fact there was no shortage and if there is any deficiency in stock, petitioner is ready to make good the same. Counsel for the petitioner further submits that bags with mark of FCI can be used by any person and the FIR has been registered on account of a rivalry between two groups in the village. It is thus submitted that the petitioner is ready to join the investigation. Learned State counsel, on instructions from ASI Bhim

Singh, has submitted that during the investigation, as per letter dated 10.04.2018 and physical and online verification at depot, shortage of 11 kg and 601 grams wheat was found and therefore, the petitioner has committed the offence.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 22.05.2018, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from HC Dhan Parkash, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 22.05.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

October 15, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*