

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

CRM-M No.26850 of 2017 (O&M)

Date of decision: 22nd January, 2018

Tejpal Garg

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sanjiv Kumar Aggarwal, Advocate for the petitioner.

Mr. P.K. Jangra, Addl. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

CRM No.34982 of 2017

After arguing at length for some time faced with the likely consequences, learned counsel for the applicant/petitioner on instructions from his client wishes to withdraw the present application.

Allowed to do so.

The application stands dismissed as withdrawn.

CRM-M No.26850 of 2017

Allegations against the petitioner Tejpal Garg in this third regular bail application filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.429 dated 10.12.2014 registered at Police Station Madhuban, District Karnal under Sections 406/420 IPC, are that during the milling year 2013-14, petitioner was handed over 91852 quintals of

paddy for custom milling and he returned back only 8041 quintals of rice and thus, in the process is alleged to have embezzled 61541.24 quintals of paddy valued at Rs.13,15,57,226/- leading to registration of the present case and his arrest on 09.08.2016.

Contentions of the learned counsel for the petitioner are that the petitioner is medically ailing from right frozen shoulder, left renal stone, diabetes and unstable angina, and that arbitral proceedings are pending between the department and the petitioner-firm and thus, on the plea of sympathy has sought to seek bail.

Learned State counsel has sought to oppose the grant of bail to the petitioner on the grounds of seriousness of allegations and heinousness of the offence as well as the fact that the medical health of the petitioner is not in such a precarious state for sympathetic consideration of his case.

Appreciating the submissions, the earlier two bail applications have already been declined by this Court. Learned counsel for the petitioner could not bring forth any extenuating circumstance or fresh ground for consideration of the present bail application. Keeping in view that an amount worth more than Rs.13.00 crores of public department has been usurped by the petitioner and thus, in view of the seriousness of the allegations and heinousness of the offence, does not

calls for grant of any relief. More so, mere period of incarceration is no ground to allow bail.

In view thereof, the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

January 22, 2018
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No