

**CRM-M-29936-2018 and
CRM-M-29999-2018**

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

Date of Decision: 26.09.2018

1. CRM-M-29936-2018

Pushvinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M-29999-2018

Inderjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gopal Singh Nahel, Advocate for
the petitioner in CRM-M-29936-2018.

Mr. Siddharth Gupta, Advocate,
for the petitioner in CRM-M-29999-2018.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-29936-2018, filed by
petitioner-Pushvinder Singh and CRM-M-29999-2018, filed by petitioner-
Inderjit Singh, filed under Section 438 of the Code of Criminal Procedure,

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1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.24 dated 14.03.2018, registered at Police Station Sadar Rampura, District Bathinda, under Section 19(A) (1) of the Fertilizer Act, Section 19 (A) of the Fertilizer Control Order, 1985 and Section 7 of the Essential Commodities Act, 1955.

Notice of motion was issued in both these petitions. Learned State counsel put in appearance on behalf of the respondent-State and contested both these petitions.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

Learned counsel for petitioner-Inderjit Singh submitted that there is no document to show that godown is owned by petitioner-Inderjit Singh. He further argued that the rent deed is in favour of Sukhwinder Singh and the present petitioner has been shown as a witness to the same. He further argued that even the writing dated 14.01.2018 nowhere shows Inderjit Singh as a party to the same, nor he has been shown as owner of the property. As per the allegations in the FIR, when the raid was conducted, the raiding party called on the mobile number which was written on the godown and Inderjit Singh had received the said call and stated that he is sending his employee. However, learned counsel for the petitioner has contested the said fact and stated that petitioner-Inderjit Singh is neither owner of the godown nor tenant therein.

Learned counsel for petitioner-Pushvinder Singh submitted that petitioner-Pushvinder Singh had brought the keys and taken part in the

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proceedings being employee of Inderjit Singh, which has been denied by learned counsel for petitioner-Inderjit Singh.

In pursuance of the interim orders dated 19.07.2018 passed in CRM-M-29936-2018 and CRM-M-29999-2018 by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Recovery has already been effected. Nothing is to be recovered from them. Therefore, no useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in both these petitions and the same are allowed. The orders dated 19.07.2018 passed in CRM-M-29936-2018 and CRM-M-29999-2018, granting interim bail to the petitioners, are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

26.09.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No