

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46931-2018

Date of Decision: 05.12.2018

Sukhwinder Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Siddharth Gupta, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Sukhwinder Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0010 dated 10.02.2016, registered at Police Station Phool, District Bathinda, under Sections 420 of the Indian Penal Code, 1860 and Section 7 of the Essential Commodities Act, 1955.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

As per the allegation of the prosecution, ASI Basant Singh had received secret information that Kiran Mittal widow of Ashok Kumar is running a Depot at village Bhai Rupa by taking a room on rent. She has stocked wheat and kerosene oil which the government has provided for selling on control rates, but she used to sell these goods on higher rates than

the control rates fixed by the government, to other people in connivance with Maggi @ Rinku and the present petitioner.

In pursuance of the interim order dated 25.10.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. No useful purpose would be served by sending the petitioner 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 this petition and the same is allowed. The order dated 25.10.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner 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.

05.12.2018

Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No