

Sr. No.223

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

CRM No. M-8455 of 2018 (O&M)

Date of Decision: 07.03.2018

Manjeet Singh

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. P.S.Sekhon, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks regular bail pending trial in case FIR No.57 dated 20.01.2017, under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station City Sirsa, District Sirsa.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Director, District Food and Supply Controller, Sirsa. Complainant asserted that an agreement had been entered into by the State Procurement Agency with M/s Khalsa Rice Mill for purpose of paddy milling and the present petitioner was stated to be the owner of such paddy mill. As per terms and conditions of the agreement the miller had to deposit an FDR of Rs.07 lacs and also furnish surety.

FIR No. 328 dated 04.12.2016 is stated to have been lodged against the present petitioner as also two guarantors for

not having delivered the adequate quantity of custom milled rice.

The allegations leading to the registration of the present FIR is that the FDR of Rs.07 lacs allegedly deposited by the present petitioner towards compliance of the terms and conditions of the agreement and issued by the Central Bank of India, Dabwali Branch was found to be forged as upon verification from the Bank concerned it was informed that the FDR was only for Rs.700/- and not Rs.07 lacs.

The date of arrest of the petitioner in the present case has been shown as 08.08.2017. Investigation is complete and the challan stands presented.

Apparently, as per challan document, one Jeewan Kumar has been arraigned as an accused on the basis that forged FDR had been prepared in connivance with Jeewan Kumar.

It is the contention of the counsel representing the petitioner that the main accused in the present case would be Jeewan Kumar who was the actual owner of the Rice Mill and the present petitioner was a mere labourer working therein and had been propped up for purposes of entering into the agreement and for Jeewan Kumar to ultimately escape the contractual liabilities.

This Court would desist from commenting on the merits of the case.

Trial is at the very initial stage and would take time to conclude.

It is not the case made out on behalf of the State that if benefit of bail is granted to the petitioner he would be in a position

to hamper the course of a free and fair trial.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Sirsa provided he is not required to be in custody in any other case.

Disposed of.

07.03.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No