

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

211

CRM-M-3794-2019 (O&M)
Decided on : 23.10.2019

Manjinder Singh Virk

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present : Mrs. Baljit Mann., Advocate
for the petitioner.

Mr.Ramandeep Sandhu, Sr. DAG, Punjab.

Harinder Singh Sidhu, J.

The petitioner has filed this petition under Section 438 Cr.P.C seeking anticipatory bail in the of newly added Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988 in FIR No.149 dated 13.8.2017 registered at Police Station Samana District Patiala for the offences under Section 409, 420, read with Section 120-B IPC.

The FIR was registered on the complaint dated 20.05.2017 of District Manager Pungrain Patiala to SSP Patiala alleging that there was shortage of wheat stocks at various godowns of the Pungrain situated at Samana Centre, District Patiala.

The petitioner had filed CRM-M-33566 of 2017 seeking anticipatory bail. The contention of the petitioner in that petition was that shortage of wheat had been detected at the instance of the petitioner. It

was stated that the petitioner had joined as Assistant Food and Supplies Officer at Samana on 07.10.2015. Immediately, thereafter, he wrote to the Inspector, Food and Civil Supplies, Incharge of the wheat stock for getting the physical verification of the stock conducted but no action was taken by the latter. Therefore, he communicated to the District Controller, Food & Civil Supplies Department, Patiala and the Deputy Director, Food & Civil Supplies, Patiala and even Director, Food & Civil Supplies, Chandigarh. Finally, on instructions of the senior officers, verification of the stock was got conducted through the petitioner and the DFS on 20.11.2015. Some shortage of stock was detected. Subsequently, three more physical verifications were conducted in which further shortage in different godowns was detected. It was his contention that the Inspector and Chowkidar of the godowns were responsible for the wheat stock in the godown and no liability could be fixed on the petitioner.

Considering his contention, vide order dated 15.9.2017, the petitioner was granted interim anticipatory bail and he was directed to join investigation. Petitioner thereafter joined the investigation and vide order dated 14.11.2017, interim bail granted to the petitioner was made absolute. Thereafter the offence under Section 13(1) (d) read with Section 13(2) of the PC Act has been added and the petitioner filed the present petition. Vide order dated 14.2.2019, the petitioner was granted interim anticipatory bail and directed to join investigation. Thereafter, the petitioner has joined investigation on more than one occasion. The respondents however contend that he is not cooperating in the

investigation.

Considering that the petitioner had already been granted interim bail which was made absolute in CRM-M-33566 of 2017 and he has joined further investigation after addition of some more sections, the order dated 14.02.2019 is made absolute, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

23.10.2019
sd

[HARINDER SINGH SIDHU]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No