

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-27486 of 2019

Date of Decision: July 09, 2019

Kashmir Singh @ Nuniya @ Kashmira

.....Petitioner(s)

versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. Digvijay Nagpal, Advocate
for the petitioner(s).

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner-Kashmir Singh @ Nuniya @ Kashmira under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.130 dated 08.05.2019 under Sections 148, 149, 323, 341, 379-B & 506 IPC and Section 25 of the Arms Act, registered at Police Station Cheeka, District Kaithal. The petitioner apprehended his arrest at the hands of Police.

The brief facts of the case are that the petitioner is president of *Bhai Chara Transport Co.* On 06.05.2019, petitioner allegedly reported a scam of looting of wheat in the grain market, Cheeka in connivance with contractor-Pargat Singh and commission agents. This scam caused heavy loss to the State of

Haryana. When the official and the contractor came to know about this complaint, they indicted the petitioner in a false case and pressurized the petitioner to withdraw his complaint.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case because this petition is only a counter-blast to the complaint made by him to the Chief Minister's complaint window. He states that the petitioner has the video to show that contractor was lifting the wheat in the absence of any Government official, without any quality check and proper weight. They could also be seen removing the wheat from the gunny bags by using parkhi. He further states that complainant of the said FIR is the same contractor-Pargat Singh, whose illegal activities were exposed by the petitioner.

A perusal of the FIR reveals that the complainant-Pargat Singh had specifically named the petitioner, who caused injuries and was armed with country-made pistol. Moreover, six injuries were suffered by the complainant in the said occurrence.

In view of the above, no case is made out for grant of pre-arrest bail to the petitioner.

Accordingly, the petition is dismissed.

July 09, 2019
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[MANOJ BAJAJ]
JUDGE

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