

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

218

CRM-M-29517-2019 (O & M)
Date of Decision:19.07.2019

Ranjit Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Fatehjeet Singh, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.237 dated 25.06.2018, under Sections 406 and 420 IPC, registered at Police Station Naraingarh, District Ambala.

The prosecution case is that the petitioner had entered into a contract with Haryana Agro Industries Corporation Limited for milling paddy through his firm M/s Jai Maa Sharda Rice Mill for Kharif session for the year 2013-14 vide agreement dated 26.05.2014. As per the terms and conditions of the contract, the complainant handed over 1022.77 M.T. Paddy to the petitioner's firm, whereas, the petitioner was required to supply 685.26 M.T. rice after custom milling, but only 161.77 M.T. of custom milled rice was supplied to the Food Corporation of India and the petitioner misappropriated 523.49 M.T. of custom milled rice and caused a huge loss of ₹2,91,37, 431/-.

Learned counsel for the petitioner contends that the petitioner is in custody for the last 7 months and the dispute is regarding shortage of custom milled rice, which was to be delivered by the petitioner pursuant to the agreement with complainant-Food Corporation of India. He further contends that the civil dispute between the parties is also pending. According to him, investigation is complete and further custody of the petitioner may not be justified.

On the other hand, learned State counsel has opposed the bail application on the ground that the petitioner had misappropriated 523.49 M.T. of custom milled rice and caused a huge loss of ₹2,91,37, 431/-. However, it is not disputed that the investigation of the case is complete and challan stands filed.

Considering the above background and the fact that the offences are triable by Magistrate, further detention of the petitioner may not be justified. Therefore, without meaning any expression on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

19.07.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No