

CRM-M-34320-2019

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

CRM-M-34320-2019

Date of Decision: 10.09.2019

Dinesh Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. G.S.Brar, Advocate,
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.79 dated 12.06.2019, registered at Police Station Adampur, District Jalandhar, under Sections 420, 274 and 120-B of the IPC and Section 7 of the Essential Commodities Act, 1955.

Notice of motion was issued in this case. Learned State counsel has put in appearance 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 gone through the record.

CRM-M-34320-2019

From the record, I find that FIR, in the present case, has been got registered by Amrik Singh, Agriculture Development Officer, with the allegations that 40 cardboard boxes each having 5 packets weighing 4 kgs etc. of Insecticide medicine Amida Clopride manufactured by Indian Crop Science (P) Ltd. Meerut, Uttar Pradesh, were recovered and sale of the recovered insecticide is banned in Punjab. Samples were drawn in the presence of the present petitioner, who was the area sales manager of the said Company. As per the report of insecticide testing laboratory, the potency of the said insecticide was also found as 0.06% instead of 0.3% and the sample was failed. It is also stated in the FIR that if the said insecticide is being used by the farmers, it can cause loss to their crops. The said insecticide was being sold by the present petitioner in connivance with the owner and management of the company.

Keeping in view the facts and circumstances of the present case and in view of nature and gravity of the offence, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

10.09.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No