

CRM-M-8086 of 2020

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

CRM-M-8086 of 2020
Date of Decision: 25.02.2020

Gulshan Jain and others

...Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. A.D.S. Sukhija, Advocate, for the petitioners.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.0044 dated 05.04.2018 registered under Sections 406, 409, 420, 467, 471, 120-B IPC, Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988 at Police Station Jandiala, District Amritsar.

According to prosecution, petitioners through their firm M/s Veeru Mal Mulkh Raj usurped around 460 wagons of paddy, which was given to the petitioners for milling purposes, causing loss to the State exchequer for around Rs.33.6 crores.

Learned counsel *inter alia* contends that no recovery has to be effected from the petitioners. They have falsely been implicated. Due verification was conducted by officials of the Food and Civil Supplies Department on 20.03.2018, wherein no shortage was found. 15 days thereafter, FIR in question has been lodged against the petitioners by

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corrupt officers of the Food and Civil Supplies Department to hide their corruption, negligence and mis-conduct.

Considering seriousness of crime committed by the petitioners and rejection of similar application for anticipatory bail of co-accused of the petitioners on 25.07.2018 vide CRM-M-29408 of 2018, this Court feels that petitioners are definitely required for custodial interrogation to recover the usurped rice and know their *modus operandi*.

Dismissed.

February 25, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No