

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

1. **CRM-M-11914-2020 (O&M)**

Hoshiar Singh Kundu ... Petitioner

Versus

State of Haryana ... Respondent

2. **CRM-M-15702-2020 (O&M)**

Ram Singh ... Petitioner

Versus

State of Haryana ... Respondent

Date of Decision:-9.9.2020

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rubal Garg, Advocate for the petitioner in
CRM-M-11914-2020 .

Mr. Manoj Kumar Vashishtha, Advocate for the petitioner in
CRM-M-15702-2020.

Mr. Karan Sharma, AAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The allegations against the petitioners i.e. Hoshiar Singh Kundu, Sales Manager and Ram Singh, Assistant Godown Keeper of Co-operative Sugar Mill, Sonapat are to the effect that record pertaining to production of sugar during the year 2012-13 was not properly maintained and lesser quantity of sugar produced was reflected in record than what was actually produced and

in this manner 478 bags of sugar were not entered in record and said 478 bags were clandestinely sold in open market.

2. The learned counsel for the petitioner-Hoshiar Singh Kundu has submitted that it is infact petitioner Hoshiar Singh Kundu, who has himself brought the said deficiency in record to the notice of the authorities concerned and that while the matter in hand pertains to the year 2012-13, the FIR came to be lodged belatedly in the year 2020.
3. Pursuant to interim directions issued by this Court, the petitioners have since joined investigation, as has been informed by learned State counsel, upon instructions from Inspector Jaivir.
4. Having regard to the facts and circumstances of the case and the fact that the petitioners have since joined investigation, custodial interrogation of the petitioners would not be justified.
5. The petitions, as such, are accepted and the interim directions issued vide order dated 20.5.2020 in CRM-M-11914-2020 and vide order dated 18.6.2020 in CRM-M-15702-2020 are hereby made absolute subject to the condition that the petitioners shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

9.9.2020

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No