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

CRM-M No. 30149 of 2020  
Date of Decision: 27.11.2020

Satish Kumar

-Petitioner

Versus

State of Haryana

-Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. D.K. Singal, Advocate,  
for the petitioner.

Mr. Anant Kataria, D.A.G., Haryana.

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**RAJ MOHAN SINGH, J. (Oral)**

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.0132 dated 11.03.2019 registered under Section 7 of the Essential Commodities Act, 1955 (X of 1955) at Police Station City Jind (Second).

On 29.09.2020, following order was passed by the Coordinate Bench:-

*“All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the*

*Covid-19 pandemic.*

*By this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.132, dated 11.03.2019, having been registered at Police Station City, Jind, alleging therein the commission of an offence punishable under Section 7 of the Essential Commodities Act, 1955.*

*Upon a specific query made to learned State counsel, who submits on instructions from Sh.Narinder Pal, Quality Control Inspector, Jind, there was no tampering of the bags from which samples of spurious fertilizers were taken by the respondents (as alleged).*

*That being so, and the petitioner not being the manufacturer of the fertilizer, without making any further comment on the issue at this stage, notice of motion is formally issued, with the petitioner directed to join investigation within one week and if, upon him so joining, he is sought to be arrested, he shall be released on interim bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Duty Magistrate, till the next date of hearing.*

*He shall also comply with all conditions stipulated in Section 438(2) of the Cr.P.C.*

*If the arresting officer does not join the petitioner in investigation, he would appear before the learned Ilaqa Magistrate immediately,*

*who would then summon the arresting officer and direct him to join him in investigation, in terms of the order of this Court.*

*Adjourned to 06.11.2020.*

*A reply by a gazetted police officer as also a competent authority under the Essential Commodities Act, 1955, be filed before the next date of hearing.*

**September 29, 2020**  
*dharamvir/*

**(AMOL RATTAN SINGH)**  
**JUDGE”**

Learned State counsel on instructions from ASI Sudhir Kumar submits that the petitioner has joined the investigation to the satisfaction of Investigating Officer and he is no more required in further investigation of the case.

This is so evident from para no.5 of the reply filed by way of affidavit of Kaptan Singh, Deputy Superintendent of Police, Detective Jind, District Jind.

In view of above, order dated 29.09.2020 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer.

**November 27, 2020**  
Jyoti Sharma

**(RAJ MOHAN SINGH)**  
**JUDGE**

1. Whether speaking/reasoned : Yes/No  
2. Whether reportable : Yes/No