

210-5
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 8209 of 2021 (O&M)
Decided on: 17.08.2021

Mukesh Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. C.M. Munjal, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.194 dated 05.03.2018, registered under Sections 420, 467, 471 IPC and 7 and 10 of the Essential Commodities Act, at Police Station City Sirsa, District Sirsa.

Counsel for the petitioner has argued that the petitioner has never submitted his ration card as the same was never required, so as to allot a ration depot. It is submitted that the petitioner applied for ration depot on the basis of the recommendation made by the Gram Panchayat, village Sahuwala-I, where he was residing on rent.

Counsel for the petitioner has relied upon the resolution dated 17.03.2015, passed by the Panchayat Sahuwala-I, Division Bada Ghuda. The operative part of the said resolution, reads as under:-

“In two days meeting the Sarpanch has intimated that in connection with the letter No.463288 issued by District Food and Supply Officer, Sirsa. The supply of the depot holder namely Sh. Bhagwana Ram has been stopped. Thereafter, when the depot was restored again due to misappropriation in the supply, the depot was ordered to be cancelled. Now at the spot temporarily the supply is

CASE HEARD THROUGH VIDEO CONFERENCING

being run by Amar Singh depot holder Panjuana. Due to this reason the public is facing great difficulty. Due to this reason about a month back a munadi was done in the village but nobody came forward to get the ration depot from the village and nobody is even ready to take the same. Due to this reason the depot of village Sahuwala be immediately allotted to Mukesh Kumar son of Ram Swarup of village Sahuwala and the depot be immediately started and in this connection put up before the panchayat for consideration.

The present panchayat members after deliberation and consideration has decided that the above said depot be allotted in the name of Mukesh Kumar son of Ram Swarup so that the supply of the ration be properly done and people may not suffer more. Copy of this resolution be sent to the District Food and Supply Controller, Sirsa.”

Counsel for the State, on instructions from SI Gauri Shankar, has not disputed the aforesaid fact and submits that the petitioner be directed to join the investigation.

Accordingly, the present petition is allowed and the petitioner is directed to appear before the Investigating Officer within a period of 10 days from today and he will be released on interim bail subject to the conditions envisaged under Section 438(2) Cr.P.C.

It will be open for the Investigating Officer to call the petitioner, by issuing an advance notice in writing, as and when required by him to join the investigation.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

17.08.2021
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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No