

210-4
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 9917 of 2021 (O&M)
Decided on: 17.08.2021

Prem Chand

....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 relied upon the order dated 23.02.2021, passed in CRM-M No.3234 of 2021. The operative part of the said order, reads as under:-

“Learned counsel for the petitioner submits that the FIR was registered on 10.10.2017 in respect of allegations of the year 2016-17 against various Depot Holders, who had taken ration more than their entitlement and sold the same in black market.

Learned counsel further submits that supply of ration was stopped by the Department vide order dated 07.10.2017. Some of the Depot Holders challenged the same by way of filing civil suits. Some of the Depot

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Holders also filed representation before the Department and some of them filed CWP No.18294 of 2018. The civil suits were decided in favour of the Depot Holders and appeals of the Department were also dismissed by recording a finding that distribution of the ration was duly recorded in the recording register and the officials of the department were checking the same on regular basis. No illegality was found therein.

Learned counsel further submits that in view of the stand taken by the Department in status report, the Department has alleged that petitioner was also involved in FIR No.194 of 2018, Police Station Sirsa City, District Sirsa regarding embezzlement of the ration and has not supplied the details of distribution of the ration to the Department. In support of his stand learned counsel has filed a copy of FIR No.194 showing that the same was registered against Dharamvir Depot Holder and Mukesh Kumar. Mukesh Kumar has already been granted interim anticipatory bail by the High Court.

Learned counsel also placed on record details of the ration sanctioned to the petitioner which was to the tune of 1212.00 quintals and as against this the petitioner has lifted only 1161.69 quintals.

The connected petitions are fixed for 08.03.2021.

In view of aforesaid position it would be appropriate to list this case along with CRM-M No.3883 of 2021 on 08.03.2021.

Till the next date of hearing, arrest of the petitioner shall remain stayed.”

Counsel for the petitioner has also argued that there is no direct allegations against the petitioner.

Counsel for the State, on instructions from SI Gauri Shankar, has not disputed the aforesaid fact and submits that the

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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
yakub

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