

210-3

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 26732 of 2021 (O&M)

Decided on: 17.08.2021

Surender Singh

....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 FIR was registered, at the instance of the District Food and Supply Controller, Sirsa in which it is stated that the co-accused/Dharamveer and Mukesh Kumar are depot holder and they have prepared forged ration card and have got the depot licence in their name. On the basis of the enquiry report submitted to the Director, Food and Supply and Consumer Affairs, Haryana, it was recommended that a criminal case be registered against them.

Counsel for the petitioner has referred to the report dated 02.11.2017 issued by the District Food and Supply Controller, Sirsa, wherein it is stated that the record of 23 depots is missing. It is also submitted that the allegations against the petitioner – Surender Singh are identical in nature.

The operative part of the order dated 13.07.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner relies upon

CASE HEARD THROUGH VIDEO CONFERENCING

the order dated 07.07.2021 passed in CRM-M-25681-2021, vide which co-accused Jaswant Singh has been granted the concession of interim anticipatory bail, by passing the following order: -

“...Learned counsel for the petitioner submits that the petitioner was serving as Driver in the department and was never assigned the duty of either collecting the documents or keeping the alleged forged documents in his possession, as per nature of duties assigned to him. It is further submitted that two of his co-accused namely Prem Chand and Bhupinder Singh have already been granted the concession of interim anticipatory bail vide order dated 03.03.2021 passed in CRM-M-9917-2021 and the order dated 06.04.2021 passed in CRM-M-15221-2021, respectively and both these cases are stated to be listed for 17.08.2021...”

Learned counsel for the petitioner further submits that allegations against the petitioner are identical in nature.

Notice of motion for 17.08.2021....”

Lastly, counsel for the petitioner has submitted that, in pursuance to the order dated 13.07.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from SI Gauri Shankar, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 13.07.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

17.08.2021
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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No