

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021-09-30 15:11
I attest to the accuracy and
authenticity of this document

CRM-32278-2021 in/and
CRM-M-38227-2021
Date of decision : 29.9.2021

Sanjeev Kumar

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Vinod Ghai, Senior Advocate with
Mr. Edward Augustine George, Advocate
for applicant petitioner.

Mr. Balbir Singh Sewak, Additional A.G. Punjab.

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HARINDER SINGH SIDHU, J.

CRM-32278-2021

This is an application for placing on record document (Annexure P-5).
Notice in application.

Mr. Balbir Singh Sewak, Additional A.G. Punjab accepts notice on
behalf of State.

For the reasons mentioned in application, same is allowed and
document (Annexure P-5) is taken on record.

Application is disposed of.

CRM-M-38227-2021

This is petition filed under Section 439 Cr.P.C. for grant of regular bail
in FIR No. 40 dated 15.4.2020 registered under Sections 407, 409, 420, 120 B
IPC at Police Station Nihal Singh Wala, District Moga.

FIR was registered on the complaint made by one Jaswinder Singh,
President, Food and Supply Association with the allegations that Krishan Kumar
who was owner/partner of M/s Akshit Agro Foods, M/s Surya Agro Foods and M/s
Keshav Agro Foods, Nihal Singh Wala Road, Baghapura was on run alongwith his
family. Upon inquiry conducted by the team of Assistant Food and Supply
Officers, it was reported on 12.3.2020 that 124107 bags weighing 4653.99 tonnes
paddy of PUNGRAIN which had been stored in the said mills were found missing.
Thereafter, on instructions, the teams were directed to shift the paddy from said rice
Mills. The process of shifting of paddy was undertaken. Krishan Kumar in order

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to save himself started filing complaints against the staff deputed for shifting the paddy. He even faked a suicide note. It is alleged that said Krishan Kumar had also cheated the Punjab and Sind Bank to the tune of Rs. 13 crores regarding which the bank appointed security staff to guard the said shellers. It is further alleged that said Krishan Kumar had also obtained loan from Axis Bank against paddy stock whereas the required paddy was not stored in his godown. He has also taken a huge amount from private persons but did not return the same. He also owes a sum of Rs. 40 lacs to the Electricity Department due to which all electric connections of the above shellers were disconnected. Said Krishan Kumar is alleged to be a shrewd person who keeps on making false complaints against the employees/officers. Thus, action was sought to be taken against him.

Learned senior counsel has for petitioner has referred to a partnership deed (Annexure P-2) to contend that the petitioner was only a sleeping partner on one of the firms. As per the deed, the petitioner was having 10% share while said Krishan Kumar had 90 % share. Krishan Kumar was solely incharge of the business and the petitioner had nothing to do with day to day business carried out by co accused.

The petitioner is in custody since 7.7.2021.

The investigation in this case is complete and challan has been presented. The trial of case may take a long time.

Without commenting anything on the merits of case and also bearing in mind the facts of this case, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. Hence, the petition is allowed. Petitioner Sanjeev Kumar is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

29.9.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No