

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

CRM-M-43812-2021

Date of Decision: 28th October, 2021

Abdul Razzak

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Manoj Tanwar, Advocate for the petitioner.

Ms. Geeta Sharma, Deputy Advocate General, Haryana
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

This petition under Section 439 of the Code of Criminal Procedure is filed seeking regular bail in FIR No. 103, dated 09.06.2021, under Sections 409, 420, 467, 468, 471, 120-B IPC and Section 7 of Prevention of Corruption Act, 1988 (Section 467 IPC and Section 7 of PC Act, added later on), registered at Police Station Hassanpur, District Palwal, Haryana.

As per the allegations in the FIR the wheat meant for public distribution system was sold to a private flour mill. The allegations against the petitioner are that he was a depot holder, he showed receipt of the wheat and its distribution whereas it was siphoned off to the private flour mill.

Learned counsel for the petitioner submits that it is a case of a

false implication. The drivers apprehended at the flour mill and the transport contractor was granted bail by this Court. Similarly situated depot holder was granted bail by the Sessions Judge, Palwal. He further submits that investigation is complete.

Learned State counsel opposes the prayer for grant of bail. However, on instructions she fairly submits that investigation is complete, challan stands presented.

The petitioner is in custody since 8th July, 2021. The alleged siphoned off wheat was recovered from the flour mill. The case is primarily based upon the documentary evidence as well as electronic evidence. The co-accused have been granted bail. Conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

28th October, 2021

Parveen Sharma

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No