

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

CRM-M-50563 of 2021

DECIDED ON:14th December, 2021

Shahid Hussain

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Rajesh Lamba, Advocate for petitioner.

Mr. Karan Garg, AAG Haryana.

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, 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 were 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 were 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.

14th December, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>