

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

CRM-M-4372-2022

DECIDED ON: 22nd NOVEMBER, 2022

JARMAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. ADS Sukhija, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The instant petition has been filed under Section 438 Cr.P.C seeking anticipatory bail to the petitioner in FIR No. 119, dated 20.05.2021, under Sections 409, 406, 465, 468, 471 and 120-B IPC, registered at Police Station City Jalalabad, District Fazilka.

Learned counsel for the petitioner submits that in pursuance of order dated 03.02.2022, the petitioner has joined the investigation.

The said fact has not been controverted by learned State counsel. An affidavit dated 18.10.2022 of Sh. Atul Soni, PPS, Superintendent of Police, Fazilka filed by the counsel for the State is taken on record. Copy whereof, has been supplied to the counsel for the petitioner.

Learned counsel for the petitioner contends that the petitioner was posted as Milling Incharge on behalf of PUNSUP and was to file inspection report after visiting the premises of M/s S.K. Industries. It is

asserted that initially the petitioner was the person who originally made a

complaint but subsequently he was named as an accused on a presumptive notion of negligence in not inspecting the premises of the accused firm from 31.03.2021 to 18.05.2021. The assertion is that otherwise the petitioner has been carrying out periodical inspections from time to time and submitted the report to the Senior Officers of PUNSUP.

On the other hand, learned State counsel submits that from the affidavit dated 18.10.2022, it has transpired that the accused firm has already mortgaged its property with various banks and an amount of ₹11,46,46,130/- alongwith interest @ 12 % per annum is still outstanding from 01.09.2021 onwards towards PUNSUP. The main accused namely Sarla Rani is still absconding.

Learned State counsel, on instructions from ASI Jagdish Lal, submits that Sarla Rani is in New Zealand at present. In fact, the accused firm was being managed by her son, who has been found innocent during investigation.

Looking into the totality of the facts and circumstances, the order dated 03.02.2022 is, hereby, made absolute.

Disposed off.

22nd NOVEMBER, 2022
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(SANDEEP MOUDGIL)
JUDGE

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