

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

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CRM-M-21552-2022 (O&M)

Date of Decision: 02.08.2022

Paramjit Singh

...Petitioner

vs.

State of Punjab

...Respondent

CRM-M-21900-2022

Sham Sunder Wadhwa

...Petitioner

vs.

State of Punjab

...Respondent

CRM-M-21614-2022

Dharampal & Anr.

...Petitioner

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. SPS Chakkal, Advocate (CRM-M-21552-2022)
 Mr. SS Gill, Advocate (CRM-M-21900-2022)
 Mr. Rakesh Verma, Advocate (CRM-M-21614-2022)
 for the petitioners

Ms. Amarjit Kaur Khurana, DAG Punjab

Mr. RS Bains, Sr. Advocate with
Ms. Aarushi Garg, Advocate for the complainant

Mr. HS Sandhu, Advocate for the complainant/farmers

VINOD S. BHARDWAJ, J. (Oral)

This order shall dispose of the above-cited criminal miscellaneous petitions wherein the petitioners have prayed for grant of anticipatory bail in case bearing FIR No.87 dated 03.05.2022 under Section 3 of the Seeds (Control) Order 1983 & Sections 3 & 7 of the Essential Commodities Act, 1955 (Offence under Section 420 IPC added later on) registered at Police Station City Rajpura, District Patiala.

Learned counsel for the respective parties contend that the petitioners have joined the investigation and are no longer required for any further investigation.

Counsel for the complainant submits that the petitioners had sold the produce which was substandard. He, however, could not dispute the fact that the petitioners are the traders and not the manufacturers of the substandard/spurious seed and cannot be deemed to have the knowledge of the product being substandard. Further, it is not disputed that since the investigating agency does not need their custodial interrogation, it would not advance the interest of justice to confine the petitioners to custodial interrogation.

Heard learned counsel for the parties.

Since the petitioners have joined the investigation and their custodial interrogation is not required, the present petitions are allowed and the interim order dated 19.05.2022/20.05.2022 are made absolute.

However, the petitioners shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438 (2) Cr.P.C.

02.08.2022
V.Vishal

(VINOD S. BHARDWAJ)
JUDGE

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>