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

**CRM-M-51137-2021
Decided on : 1st February, 2022**

Virender Hooda

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rakesh Nehra, Senior Advocate with
Mr. Atul Ravish, Advocate for the petitioner.

Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

[1] Due to COVID-19 situation, the Court is convened through video conference.

[2] This petition under Section 439 Cr.P.C. is filed seeking regular bail in F.I.R. No. 103, dated 9th June, 2021, under Sections 409, 420, 467, 468, 471 and 120-B IPC and Section 7 of the Prevention of Corruption Act, 1988, registered at Police Station Hassanpur, District Palwal.

[3] The brief facts are that on 09.06.2021, police party got a secret information that Canter No.HR74-A-7715 and Truck No.HR73-2735 are being unloaded at Baba Flour Mill, Hassanpur. A raid was

conducted and it was found that the wheat was being unloaded at the Mill. The driver of the truck was apprehended at the spot. He disclosed his name as Sharukh. He produced two gate passes upon which Food Corporation of India was written. It was found that the wheat loaded in the truck was for Government supply. Sharukh disclosed that the wheat bags were brought to the Mill on the asking of Imtiyaj. The petitioner was posted as Sub-Inspector in Food & Supplies Department. The role attributed to the petitioner is that he, in his official capacity, conspired with co-accused and facilitated in siphoning off the government wheat.

[4] Learned senior counsel for the petitioner submits that petitioner is in custody since 19th August, 2021, investigation is complete, challan stands presented and no recovery is to be made. Submission is that co-accused were granted bail by this Court.

[5] Learned State counsel opposes the prayer for grant of bail and submits that petitioner being a government official misused his official position and the wheat meant for public distribution was diverted to a private mill.

[6] Considering that no recovery is to be made from the petitioner, the investigation is complete, conclusion of trial is likely to take time and that the petitioner is a government official, there is no chance of his absconding, he is granted bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

[7] The petition is allowed.

[8] It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

1st February, 2022
pankaj baweja

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|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |