

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33579-2023
Decided on : 11.09.2023

Daljit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. I.P.S.Sabharwal, DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. Instant petition has been filed by the petitioner seeking concession of regular bail in case FIR No.77 dated 03.07.2022 under Section 409, 420, 380 IPC registered at Police Station City Nakodar District Jalandhar.

2. Learned counsel for the petitioner *inter alia* contends that he was posted as Food Inspector at Nakodar Division in the year 2013. Prior to his posting at Nakodar, one Vineet Kumar was looking after all the functions and work of the Store as well as its management. While assuming charge from Vineet Kumar, the petitioner in good faith did not carry out the physical verification of the stocks. Subsequently, on 29.06.2022 when an inspection of the godowns at Nakodar was conducted, a shortage of 6043.1 quintal of

wheat was detected. The team just to save the petitioner's predecessor Vineet Kumar falsely implicated him by making him a scape-goat. It has been further submitted that after the petitioner was arrested on 21.02.2023, challan had been presented and even charges framed on 12.07.2023, however, there was no likelihood of the trial concluding in the near future as prosecution evidence was yet to commence. He has, thus, prayed for extending the concession of regular bail to the petitioner as not only all the offences are triable by the Magistrate but his further incarceration in the above facts and circumstances would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer made by the counsel opposite, on instructions, has reiterated the allegations levelled against the petitioner in the FIR in question, however, he has not disputed that the investigation in the present case is complete and charges also stand framed. On a further query, learned State counsel, on instructions, has informed the Court that as many as 88 prosecution witnesses have been cited by the prosecution.

4. Heard learned counsel for the parties and perused the relevant material on record.

5. As not disputed by the State counsel, investigation is complete, however, prosecution evidence is yet to commence and hence, there is no likelihood of the trial concluding in the near future because as many as 88 prosecution witnesses have been cited. All the offences are triable by a Magistrate. In the facts and circumstances as enumerated hereinabove, this

Court thus, deems it fit to extend the concession of bail to the petitioner. Accordingly, the present petition is allowed. The petitioner be admitted to bail to the satisfaction to the trial Court/Duty Magistrate concerned.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

11.09.2023
sonia

(MANJARI NEHRU KAUL)
JUDGE

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