

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

213

CRM-M-60444-2022

Date of Decision: 09.01.2023

Rajeshwar Singh @ Rameshwar Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vivek K. Thakur, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.228 dated 07.08.2021 at Police Station Sultanpur Lodhi, District Kapurthala, under Sections 409 & 120-B IPC and Sections 13(2) of the Prevention of Corruption Act, 1988 (as amended in the year 2018).
2. The FIR in question was lodged pursuant to a complaint moved by the District Controller, Food & Supply Department, Sultanpur Lodhi, Kapurthala to the Senior Superintendent of Police, Kapurthala on 26.03.2021 as well as the enquiry reports submitted by the Food & Supply Department from time to time as regards shortage of wheat and that food-grains were not being handed over for Public Distribution Services (PDS) by officials of the Food & Supply Department, Sultanpur

- Lodhi, Kapurthala. As per the case, on receipt of various complaints regarding distribution of wheat in Sultanpur Lodhi, a Committee was constituted under the orders of the Director, Food & Supply Department to look into the said shortage/s. Vivek Sharma, Bhupinder Singh, Rajeshwar Singh and Vikas Sethi, all posted as Inspectors during the relevant period, had been entrusted with the duty of procuring wheat from *Mandis* allocated to them and to further send the same to FCI and also to issue wheat to the Depots for public distribution. It is alleged that the *modus operandi* adopted by the accused was that an entry used to be made in the portal as regards issuance of wheat to Depots, but as a matter of fact no such wheat was physically supplied to the said Depots.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and as a matter of fact, it is the petitioner, who had first of all informed the Department about the alleged shortages vide letter dated 19.05.2021. Learned counsel for the petitioner has further submitted that no recovery whatsoever was ever effected from him and since other co-accused, namely, Vivek Sharma, Vikas Sethi and Bhupinder Singh have already been granted bail, the petitioner also deserves the same concession on grounds of parity.
4. Opposing the petition, learned State counsel has submitted that since the name of the petitioner specifically figures in the FIR and there are specific allegations against him, no case for grant of bail is made out. Learned State counsel has, however, informed that no recovery of any wheat etc. was effected from the petitioner. It has also been informed that challan already stands presented against the accused.

5. This Court has considered rival submissions.
6. Having regard to the facts and circumstances of the case and the nature of allegations as well as while noticing that challan already stands presented and several other co-accused have already been granted bail, the petition merits acceptance and is hereby accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

09.01.2023

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**