

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

**Neutral Citation No. 2024:PHHC:056192
CRM-M-6430-2024
Date of Decision: April 25, 2024**

Som Nath

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ravi Chadda, Advocate for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of present petition under Section 438 Cr.P.C., petitioner prays for grant of pre-arrest bail in case FIR No.260 dated 30.12.2023, under Sections 407, 420 and 120-B of IPC, registered at Police Station Sadar Khanna, Ludhiana.

2. As per the allegations, Markfed had stored 64169 bags of paddy in the firm of the petitioner, i.e. M/s GS Rice Mills. It is alleged that 3474 of bags of paddy + 1% fortified rice, which comes to total 593 bags of paddy, were misappropriated by the petitioner alongwith others causing financial loss of ₹43,01,632/-.

3. Contention raised by learned counsel for the petitioner is that it is purely a civil dispute; that amount has already been settled. On 07.02.2024, it was contended by learned counsel that only an amount of ₹18,00,000/- approximately was due, out of which ₹10,00,000/- was lying as security, whereas the remaining amount had been adjusted.

4. Today, status report by way of affidavit dated 10.04.2024 of Shri Harjinder Singh, Deputy Superintendent of Police, Sub Division,

Khanna, District Ludhiana, has been filed on behalf of respondent-State, which would reveal that out of total amount of ₹43,01,632/-, only an amount of ₹2,23,431/- was stated to be yet to be recovered from the petitioner and his son.

5. From the reply itself, it is apparent that the entire dispute appears to be civil in nature.

6. In the aforesaid facts and circumstances, this petition is hereby allowed without commenting anything on the merits of the case. However, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

April 25, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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