



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

206

**CRM-M-62963-2023
Date of decision: 06.08.2024**

ATAM PARKASH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vibhu Agnihotri, Advocate and
Mr. Dhruv Sheron, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.197 dated 16.09.2022 under Sections 419, 420, 409, 120-B of the Indian Penal Code, 1860, (Section 409 of the IPC added lateron) registered at Police Station Bhattu Kalan, District Fatehabad.

2. On 21.02.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the interim relief to the petitioner and vide order dated 30.04.2024, the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel inter alia contends that there was no material collected by the investigating agency that any misappropriation/substitution of superior quality

**CRM-M-62963-2023****-2-**

rice had been done with inferior rice; he has submitted that in case there was any grain of truth in the allegations levelled that the petitioner; who was working as Field Inspector, HAFED alongwith co-accused, had substituted superior quality rice with that of inferior quality rice, there would have been no occasion for the HAFED to seek superdari of the “inferior rice and thereafter auction the same at the same price as that of “superior rice””.

3. Learned counsel for the petitioner submits that in compliance of order dated 30.04.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 30.04.2024, is made absolute subject to the conditions laid down in Section 438 Cr.P.C.

August 06, 2024
poonam

(MANJARI NEHRU KAUL)
JUDGE

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