



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(219) CRM-M-35797-2025 (O & M)
Date of decision: 16.09.2025

Sushil Kumar Petitioner

V/s

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vipin Pal Yadav, Advocate,
with Mr. J.S. Johal, Advocate, for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 BNSS, 2023 is for the grant of the regular bail to the petitioner in case FIR No.10 dated 13.03.2025 under Sections 409, 419, 420, 467, 471 IPC and Sections 13(1) (a) read with Section 13(2) of Prevention of Corruption Act, 1988 registered at Police Station Anti Corruption Bureau, Gurugram.

2. The present FIR came to be registered on the directions of this Court and the relevant extract reads as under:-

*To, SHO, Anti-Corruption Bureau Police Station, Gurugram.
Subject: Application regarding registration of First Information Report. Sir, it is requested that investigation number 01 dated 21.06.2024 Rewari was registered on direction issued by Hon'ble Punjab and Haryana High Court Chandigarh in CWP No. 5898/2022 vide order dated 09.05.2024 and as per the page number 12174/1-2/ACB (H) dated 24.06.2024 of the office of Additional Director General of Police Anti Corruption Bureau, Haryana, Panchkula and the Inspector had received it for investigation on 30.06.2024. According to the order dated*



09.05.2024 of the Hon'ble High Court of Punjab and Haryana, Chandigarh in case No. CWP No. 5898 of 2022 titled as Jasbir Ram V/s State of Haryana, the allegation is described in that during the year 2020-21, subsidy on wheat seeds was given by the Haryana Government and during the distribution of that subsidy, the misuse of subsidy by the concerned officers and employees by tampering with the government records was to be investigated during the year 2020-21.

The total amount of wheat seed per quintal during the Rabi crop of the year 2020-21 was Rs.3350/- and by giving a subsidy of Rs 1000 per quintal to the farmers by Haryana Seed Development Corporation in the year 2020-21, a total of Rs 2350 per quintal was sold to the farmers in which subsidy rate was provided to Haryana Seed Development Corporation by Haryana Agriculture & Farmers Welfare Department. Haryana Seed Development Corporation had seed sales centre Kosli in District Rewari. Sushil Kumar was posted as sales man at Kosli sales centre. As per the records of Haryana Seed Development Corporation Limited, Pataudi, the details of wheat seed variety sale during Rabi crop at sales centre Kosli are 800 quintals of wheat seed variety HD-2967. 120 quintals of WH-1105, 60 quintals of WH-1124, 1756.40 quintals of HD-3086, 130 quintals of PBW-725, 28.40 quintals of HD-3059 and 306 quintals of PBW-723, total 3200.80 quintals.

3200.80 quintal wheat seed was sold through the sales center Kosli, District Rewari and the total subsidy of the wheat seed sold amounts to Rs 32,00,800/- and the above amount was sent through treasury bill no. 49 dated 28.07.2021 to Haryana Seed Development Corporation Pataudi's account no. 3347008700000691 at Punjab National Bank, Heli Mandi, Gurugram on 12.08.2021. As per the order of Haryana Seed Development Corporation Limited Pataudi, during the year 2020-21 Rabi crop, a total of 3296 quintal (8240 bags) wheat seed was received at the sales center Kosli through Haryana



Seed Development Corporation Limited Pataudi, of which a total of 3200.80 quintal (8002 bags) were sold to the farmers. The remaining 95.20 quintals (238 bags) of wheat seed was transferred to Pataudi sales centre.

In the year 2020-21, wheat seeds were distributed in Kosli of Rewari district under Rabi crop RKVY (Rashtriya Krishi Vikas Yojana). Wheat seeds were distributed to a total of 1019 farmers at Kosli sales center in Rewari district by Haryana Seed Development Corporation. Out of a total of 1019 farmers, statements have been recorded by randomly including 211 farmers. Out of which, statements of 183 farmers were found that they have purchased wheat seeds from Kosli seed sales centers in the year 2020-21. The salesmen of the sales centers took their Aadhaar numbers and got their signatures on the farmer list and issued receipts for wheat seeds.

Apart from this, 23 farmers mentioned in their statements that they were found that they have bought wheat seeds from Kosli seed sales centers in the year 2020-21. The salesmen of the sales centers took their Aadhaar numbers and got their signatures on the farmer list and issued receipts for wheat seeds. Now, the receipts are not available with the farmers. But the wheat seed bags sold to them in the records of Seed Sales Center Kosli which have found to be incorrect as they have purchased less number of seed bags and about 10/15/20 bags are shown in the records of Seed Sales Center Kosli. Apart from these, 06 farmers have stated in their statement that they have not purchased wheat seed from Seed Sales Center Kosli in the year 2020-21. They do not know from where the salesmen of the above mentioned sales centers have taken their Aadhaar number and mobile number and got their signatures in the farmer list and also the same is not signed by them. The said farmers did not purchase wheat seed from Seed Sales Center Kosli nor did they give their Aadhaar card to any friend or relative.



In the year 2020-21, 29 farmers of Seed Sales Center Kosli have bought 1 or 2 bags of wheat seed but 10/15/20 bags are shown in the farmer list and receipt. And out of the said 29 farmers, 6 farmers have mentioned in their statement that their signatures are not in the farmer list and they have not bought any wheat seed from Sales Center Kosli in the year 2020-21, whereas 10/15/20 bags of wheat seed are shown in the farmer list against their name as per record of Haryana Seed Development Center Kosli. The Aadhaar numbers and mobile phone numbers of the farmers are also written in the record, whereas the signatures of the farmers are also not made by them. Sushil Kumar son of Laxmi Chand, resident of H.No. 523 Navdeep Colony, Gagwa Road, Hisar, was posted as Salesman of Seed Sales Center Kosli at the time of wheat seed distribution in the Haryana Seed Development Sales Centers in the year 2020-21, and he had fraudulently entered the Aadhar card numbers of the farmers in the farmer list and receipt records, by wrongly entering 10/15 bags of wheat seed in their name and by forging the signatures of the farmers, has committed an offence against whom it was suggested to register a case under the then prevalent law, sections 409, 419, 420, 467 471 IPC and 13 (1) (A) r/w 13(2) PC Act 1988.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The investigating agency failed to quantify the loss allegedly caused by the petitioner to the State exchequer. No offence under Section 13 of the Prevention of Corruption Act is made out. There is non-compliance of Section 17A of the Act as well. As the petitioner is in custody since 20.05.2025 but none of the 30 prosecution witnesses has been examined so far, the Trial of the present



case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, while referring to the reply dated 24.07.2025 contends that during the course of investigation the culpability of the petitioner has been established inasmuch as he was working as a salesman with the Haryana Seed Development Corporation (HSDC) and manipulated the entries in the seed sale registers and thereby causing the loss to the State exchequer. In fact, a systematic fraud has been perpetrated by him against the agricultural subsidy program meant for helping farmers. He, therefore, contends that the petitioner is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 20.05.2025 but none of the 30 prosecution witnesses has been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 20.05.2025 but none of the 30 prosecution witnesses has been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Sushil Kumar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. If any attempt whatsoever is made by the petitioner and/or his family members/friends to contact/threaten/intimidate any of the witnesses



of the present occurrence, the State/complainant shall be at liberty to move an application for cancellation of bail granted vide this order.

9. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.2,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

10. The petition stands disposed of.

11. The pending application(s), if any, shall stands disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

September 16, 2025

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