

Ranjit Singh vs. State
B.A. CIS no.31 of 2021
CNR No. PBPT01-000125-2021

FIR no.14 dated 28.8.2019
Under Sections 409, 420, 120-B IPC
13 (1) (a) of Prevention of Corruption Act
Police Station Vigilance Bureau, Patiala

Bail Application under Section 439 Cr.P.C.

Present: Sh. R.I.S.Majhail, Advocate, counsel for the applicant-
accused
Sh. Dev Dutt, Addl PP for the State

ORDER

1. Applicant-accused has sought regular bail in FIR no.14 dated 28.8.2019, under Sections 409, 420, 120-B IPC, 13 (1) (a) of Prevention of Corruption Act, Police Station Vigilance Bureau, Patiala
2. The applicant-accused has been booked in the present FIR on the basis of vigilance enquiry no.16 dated 7.11.2016, Patiala, wherein it was revealed that Iqbal Singh incharge, PUNSUP office, Nabha and his subordinates namely Ranjit Singh Chowkidar, Deepak Sharma, Security Guard, Savinder Kumar, Security Guard and Didar Singh, Security Guard, in connivance with each other, had stolen wheat bags from M.M.2 open plinths of PUNSUP at Nabha and had committed criminal breach of trust of remaining goods of PUNSUP. All the said persons had committed theft of wheat bags and transported the same to the purchasers, thereby causing unlawful gain to themselves and unlawful loss to the government. Thereafter, in order to conceal their criminal acts, all the said persons had put the remaining bags and articles on fire, in the intervening night of

26/27.3.2015. A detailed enquiry in this regard was conducted by Special Team constituted by Head Office, PUNSUP, from 9.5.2015 to 25.5.2015, in the presence of Iqbal Singh incharge. In the said physical verification, 4570 bags of wheat for the agriculture year 2014-15, were found deficient in the open plinth of Thuhi Food, 17420 bags were found deficient in M.M.2 plinth and 6644 bags were found deficient in M.M.2, making a total loss of 28634 bags of wheat of the value of Rs.2,76,73,043/-. Apart from this the dead stock articles i.e. Jute bardana 2275, wooden carrots 77 in number and poly covers 2 in number, were destroyed in the fire, the value of which was Rs.1,67,946/-.

3. During the course of enquiry it was further revealed from the statement of Sunder Yadav, Chowkidar, that after fire was detected in the rear side of plinths, Incharge Iqbal Singh had telephonically talked to Chowkidar Sundar Yadav and had asked the Chowkidar to let the persons present there do their work

4. On the basis of detailed enquiry filed by Vigilance Bureau, FIR was ordered to be registered against applicant- accused and Iqbal Singh Incharge, Deepak Sharma, Security Guard, Savinder Kumar, Security Gard and Didar Singh, Security Guard.

5. The learned counsel for applicant- accused has primarily stressed on the point that the alleged occurrence pertains to the year 2015. It is further prayed that applicant- accused has been falsely implicated in this case to hide inefficiency of the senior officers. It is further prayed that main accused Iqbal Singh, who was charge Inspector has already

been extended the concession of interim anticipatory bail by the Hon'ble High Court vide order dated 2.3.2020 and next date fixed before the Hon'ble High Court is 28.4.2020. It is further prayed that applicant-accused is in custody since 21.12.2020. No recovery is to be effected from applicant-accused and keeping in mind the lower rank of applicant-accused in the hierarchy of PUNSUP Centre, applicant-accused be extended the concession of regular bail.

6. Per contra the learned Addl. Public Prosecutor for the State has opposed the bail application on the ground of gravity of offence.

7. I have given careful thought to the respective submissions and also very keenly gone through the investigation record.

8. Main accused in the present case is stated to be Iqbal Singh, Centre Incharge. The Hon'ble High Court vide order dated 2.3.2020 has extended the concession of interim anticipatory bail to said accused Iqbal Singh. The Hon'ble High Court, in order dated 18.10.2019, passed in the bail application filed by said accused Iqbal Singh, has taken note of prayer of accused that on coming to know about fire, Iqbal Singh had telephoned the fire brigade and also brought it to the notice of D.M and that in the DDR recorded by the police it was found that the fire had taken place on account of short circuit.

9. Applicant-accused Ranjit Singh is in custody since 21.12.2020. The role, if any, of applicant-accused in the occurrence shall be matter of evidence. Co-accused Iqbal Singh has already been extended the concession of interim anticipatory bail by the Hon'ble High Court.

Undoubtedly, the trial of present case shall take time in view of the fact that due to outbreak of Covid-19, huge back log of cases has piled up.

10. The bail application is, thus, allowed and applicant-accused is ordered to be released on bail on his furnishing personal bond/surety bonds to the satisfaction of the learned Ilqa/duty Magistrate, subject to the following conditions:-

- i) that he shall appear in the Court on each and every date of hearing;
- ii) that he shall not tamper with the prosecution evidence;
- iii) that he shall not leave India without prior permission of the court.

11. Police record be returned. File be consigned to the record room.

Pronounced.
11.1.2021

(Priya Sood)
Addl. Sessions Judge,
Patiala. (UID No.PB0065)

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Learned Addl PP has put in appearance on behalf of State.

Record of investigation received and perused.

Arguments heard. Vide separate order of even date this bail
application has been allowed. Police record be returned. File be
consigned to the record room.

Pronounced.
11.1.2021

(Priya Sood)
Addl. Sessions Judge,
Patiala. (UID No.PB0065)