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

CRM-M-10315 of 2017

Date of decision: August 01, 2017

Assa Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Vikasdeep Singh, Advocate the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG Punjab.

Mr. D.S. Sanshu, Advocate for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.01 dated 03.02.2017, under Sections 409, 420, 467, 468, 471, 120-B of Indian Penal Code, 1860 and Sections 13(1) (D) read with Section 13(2) of Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, P.S. Jalandhar, District Jalandhar, the petitioner seeks anticipatory bail. This Court had made an order dated 02.05.2017 granting *ad interim* anticipatory bail to the petitioner.

The prosecution's allegations are that the petitioner acting as a Sarpanch of the village Panchayat had made over the payments of the Central Scheme to the persons who were ineligible and in connivance with them.

Learned State counsel, on instructions from Inspector

Dalbir Singh, submits that amount involved is around ₹13 lakhs approximately. The offence relates to the year 2008-2013.

In my opinion, the State ought to have taken steps to attach the property of the accused persons by this time. However, it had not been done. In so far as the petition for grant of anticipatory bail to the petitioner is concerned, I find that the offence said to have taken place years before and the Government agencies does not require any police custody as such. Whatever papers of proceedings are required to be recovered can be recovered by the Government agencies and therefore, there is no need to get the arrest of the petitioner effected. However, it is necessary to have the property of the accused persons attached so that in the trial, ultimately, the decision about the seizure/release of the property etc. can be taken.

In that view of the matter, interim order dated 02.05.2017 granting *ad interim* anticipatory bail to the petitioner, is made absolute. Government is directed to attach the property of the accused persons in accordance with law.

Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

August 01, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No