

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

CRM-M-12384 of 2017

Date of Decision: May 23, 2017

Ajay Sharma

...Petitioner

Versus

State of Haryana

..Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Ms. Amandeep Kaur, Advocate
for the petitioner.

Munish Sharma, AAG,, Haryana.

FATEH DEEP SINGH, J.

The allegations against the petitioner Ajay Sharma, a dismissed Sarpanch of Village Manana, District Panipat in this anticipatory bail application under Section 438 Cr.P.C are that during his tenure as a Sarpanch between years 2010-2015 he fraudulently embezzled the public funds meant for development purpose and to meet the social object of the Government amounting to Rs.19,50,000/- by either not depositing *patta* amount of fake muster rolls disbursing pension purportedly in the names of deceased persons and by misusing his financial powers leading to multiple enquiries and complaints and the present case is one of the criminal case so registered after regular enquiry was held on the complaint of the Block Development and Panchayat Officer, Samalkha.

The contentions of the learned counsel for the petitioner that the petitioner has been falsely implicated due to the political rivalry and that too at the behest of the defeated Sarpanch and there is nothing

substantial to corroborate the allegations levelled against the petitioner and that nothing is to be recovered from the petitioner and that the petitioner even on earlier occasion has been granted the relief and, thus, prayed for grant of anticipatory bail.

Learned State counsel has stoutly opposed the grant of bail to the petitioner on the grounds that the huge public funds have been embezzled by the petitioner and, thus, his custodial interrogation is very much essential to unearth the entire gamut of the crime and the persons involved therein.

Appreciating the submissions, it is not at all disputed fact that the revenue authorities have issued show cause notice and after giving opportunity of hearing, upon regular enquiry has arrived at conclusion of criminal misappropriation of public funds and misconduct of the Sarpanch leading to his dismissal. Having regard to such machination which have attained notoriety at the grass root level of administration which is adversely affecting the common poor persons there is imminent need of thorough probe and custodial interrogation of the petitioner and that the investigations are at crucial stage and if allowed bail, the petitioner is likely to influence the witnesses being an ex-Sarpanch of the village. Thus, finding no merit the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

May 23, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No