

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-41542 of 2016 (O&M)
Date of Decision: 26.04.2017

Seema Rani

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Jatinderpal Singh, Advocate for
Mr. Zorawar Singh, Advocate for the petitioner.

Ms. Harpreet K. Athwal, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.59 dated 1.10.2016 under sections 409, 420 I.P.C, registered at Police Station, Bilgha, District Jalandhar Rural.

On 24.1.2017, the following order was passed by this Court:-

“Allegations against the present petitioner are with regard to her tenure as Secretary of the Pharwala Cooperative Agricultural Multi Services Society and wherein she has misappropriated a certain stock of DAP khad/urea and as such having embezzled funds to the tune of Rs.3.50 lacs approximately.

It is the case made out by the counsel that the petitioner had handed over the entire stock in April, 2016 to the Committee concerned and at that stage of handing over stock, no shortfall had been recorded.

List on 27.01.2017.

Learned State counsel is directed to complete instructions on the basis of official record/relevant register to meet the contention raised by the counsel appearing for the petitioner.

Arrest of the petitioner is stayed till the next date

of hearing.

A copy of this order be furnished to learned State counsel under the signatures of the Bench Secretary.”

Thereafter, the matter was taken up on 8.3.2017 and the following order was passed:-

“Allegations against the petitioner are with regard to her tenure as a Secretary to a Cooperative Agricultural Multi Services Society and wherein she has misappropriated a certain stock of D.A.P Khad/Urea and as such, having embezzled funds to the tune of Rs.3.50 lacs approximately.

The contention raised by counsel is that the petitioner had handed over the entire stock in April, 2016 to the Committee and at the stage of handing over stock, no shortfall had been recorded. Such contention is rebutted by learned State Counsel.

Be that as it may, counsel submits that the petitioner, who is a lady is ready and willing to make a deposit of Rs.1 lac with the I.O subject to outcome of the investigation and to show her bonafides.

List on 26.4.2017.

In the meanwhile, petitioner is directed to join investigation and to appear before the I.O on 17.3.2017.

On the said date petitioner shall hand over a demand draft of Rs.1 lac to the I.O in the name of the Cooperative Society.

Interim protection to continue till the next date of hearing.”

Learned State counsel upon instructions from ASI Atamjit Singh would apprise the Court that the petitioner has already handed over a demand draft of Rs.1 lac to the I.O drawn in the name of the Cooperative Society concerned. It is, further submitted that the petitioner has since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The orders dated 24.1.2017 and 8.3.2017, passed by this Court, are made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

26.04.2017
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Whether speaking/reasoned:	Yes
Whether Reportable:	No