

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

CRM-M No.4392 of 2017

Date of Decision: 21.03.2017

ABDUL WAHID

-PETITIONER

VS

STATE OF HARYANA

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vinamra Kaushik, Advocate for
Mr. Sunil Nehra, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

Mr. Namit Khurana, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (ORAL)

On 09.02.2017, following order was passed:-

“Learned counsel for the petitioner contends that petitioner is an ex sarpanch of the Gram Panchayat. He did development work in the Panchayat after passing of proper resolution in discharge of his public duty. Protection granted in terms of Section 204 of the Haryana Panchayati Raj Act is fully applicable to the acts of the petitioner. The alleged recovery which is sought to be made on the basis of notice dated 24.12.2016 is also a subject matter of civil suit

where interim stay has been granted by the civil Court vide order dated 13.01.2017.

Notice of motion for 21.03.2017.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 14.02.2017 and in the event of his arrest, he shall be enlarged on ad interim bail, subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submitted that in pursuance of aforesaid order, petitioner has already joined the investigation.

This fact has not been disputed by learned State counsel on instructions from ASI Vinod Kumar. The civil Court has also passed an interim order in the present context.

In view of aforesaid, order dated 09.02.2017 is hereby made absolute.

21.03.2017
jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No