

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

**CRM-M No. 11999 of 2018
DATE OF DECISION :- May 04, 2018**

Manjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. N.P.S. Mann, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

This petition for regular bail has been filed by petitioner Manjit Kaur, an accused in F.I.R. No. 65 dated 16.4.2017 for offences under Sections 409/420/467/468/471/120-B IPC registered with Police Station Gharinda, District Amritsar Rural, Amritsar.

Briefly stated the facts of the case as per the prosecution story are that Manjit Kaur has been working as a Sarpanch of village Daoke. The government had given grant of Rs.17,97,500/- to Gram Panchayat of that village for the purpose of construction of toilets. It is alleged that the petitioner had embezzled a substantial amount therefrom by issuing cheques in the sum of Rs. 10 lacs in favour of Baba Deep Singh Building material and Rs. 3 lacs to Guru Ramdas Bricks Company.

Formal F.I.R. was registered. The matter was investigated.

Petitioner-accused was arrested on 19.2.2018. Presently she is in judicial

custody. The challan is yet to be filed.

Petitioner had moved an application for regular bail before the Court of Sessions but such plea was rejected as such she has knocked at the door of this Court for similar relief by filing the present petition, which is being opposed by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel besides going through the record.

Learned counsel for the petitioner states that petitioner is an aged woman of 70 years; the payments which had been made were in pursuance of the resolution passed by Gram Panchayat Daoke and that amount has since been refunded by those concerns, in that way there is no embezzlement of any amount. Learned State counsel on instructions from ASI Palwinder Singh concedes this fact. Further more taking into account the fact that the petitioner is an aged woman, the alleged embezzled amount has since been refunded by the recipient concerns and the matter is still under investigation, I find that it would be in fitness of things if the present petition is allowed. Accordingly the petition is accepted and the petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Amritsar subject to the following conditions : -

- (i) she shall appear in the Court on each and every date of hearing.
- (ii) she shall not give any threat or intimidation to the prosecution witnesses.
- (iii) she shall not leave India without prior permission of the

Court and shall surrender her Passport, if she has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to her, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

May 04, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No