

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

**CRM No.M-18555 of 2018 (O&M)
Date of Decision: August 23, 2018**

Bala Devi

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vikram Singh, Advocate
for the petitioner.

Mr.B.S.Virk, DAG, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.1427 dated 01.11.2016 under Sections 409, 420, 467, 468 and 471 IPC registered at Police Station City Panipat, District Panipat.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that FIR in the present case has been registered on the basis of the letter sent by Block Development and Panchayat Officer, Matlauda to the Station House Officer. As per the

allegations, Bala Devi, Ex-Sarpanch, forged a letter and embezzled an

amount of ₹92.32 lakhs of gram panchayat by breaking the FDR. As per prosecution version, FDR amounting to ₹2 crores was broken/released and was got encashed without the sanction of the Deputy Commissioner, rather, on the basis of forged order of the Deputy Commissioner, huge amount has been embezzled.

Learned State counsel has filed the reply on behalf of the respondent-State, in which, it is stated that petitioner has prepared forged and fabricated documents in her favour in pre-planned manner with the sole motive to embezzle the funds of gram panchayat. It is also stated in the reply that she had prepared forged letter No.2224/Panchayat Sutana dated 15.07.2015 in the name of Deputy Commissioner, Panipat and on the basis thereof, she got released FDR of ₹2 crores. She has got transferred an amount of ₹92.32 lakhs in the savings account of Gram Panchayat and made payments of ₹44,54,720/- through five cheques in the name of M/s Malhotra Tiles & Building Material Suppliers and ₹29,79,950/- through three cheques in the name of M/s Gupta Timber Traders and entire payment has been made within three days from 18.07.2018 to 21.07.2018, while due to Panchayat Election, the entire development work and payment were stopped by the Administration. It is further in the reply that petitioner has not done any construction or development work in the village. In the reply, it is also stated that Suresh Kumar, Secretary, Gram Panchayat, got recorded his statement under Section 161 Cr.P.C., wherein, he stated that Resolutions pertaining to Gram Panchayat, Sutana, issued from 07.01.2015 to 24.07.2015 do not bear his signatures and thus all the Resolutions are false, fake, fabricated and self prepared.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case and in view of the serious allegations against the petitioner, I find that petitioner is required for custodial interrogation and no ground is made out for grant of anticipatory bail to her.

Therefore, finding no merit in the present petition, the same is dismissed.

The order dated 03.05.2018 granting interim bail to the petitioner stands vacated.

August 23, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No