

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

**CRM-M No.26094 of 2018
Decided on: 26.09.2018**

Rachna

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

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

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.255 dated 27.06.2017, registered under Sections 420, 467, 468, 471, 406, 120-B of the Indian Penal Code (in short 'IPC') and 7 and 13 of the Prevention of Corruption Act, at Police Station Bhupani, Faridabad.

The operative part of the order dated 15.06.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Counsel for the petitioner submits that the petitioner is a lady Sarpanch of Village Badarpur and in pursuance of a resolution passed by the Gram Panchayat on 07.01.2017 for installation of lights in the village, the Panchayat has given a contract to one M/s Shree Ram Construction Company and had given an advance payment of Rs.4,19,848/-. However, the said company could not execute the said work and deposited the amount back on 06.07.2017.

Counsel for the petitioner further submits that in the intervening period, the present FIR was registered and during the investigation, the Inquiry Officer-cum-Chief Executive Officer, Zila Parishad, Faridabad has found the Panchayat Secretary-Vikas Panchal as innocent because there was no misappropriation of any public funds.

Counsel for the petitioner further submits that the Contractor has already been arrested by the police and there was no fault on the part of the petitioner as she had acted in pursuance to Gram Panchayat's resolution which was passed by all the members of the Panchayat and the money has also been received back in the Gram Panchayat fund.

Notice of motion for 26.09.2018....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 15.06.2018, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from SI Sunil Kumar, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 15.06.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

26.09.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No