

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

Criminal Misc. No. M-32712-2018

Date of Decision: 21.09.2018

Sunita Rani

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Tajeshwar Singh Sullar, Advocate for
Mr. Paramjit Singh Sullar, Advocate for the petitioner.

Mr. B.S. Virk, DAG, Haryana
for respondent(s)-State.

...

Inderjit Singh, J.

Petitioner Sunita Rani has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.73 dated 02.07.2018, registered at Police Station Raipur Rani, District Panchkula, under Sections 379 and 447 of Indian Penal Code and Section 4 of Indian Forest Act.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

The present petitioner-Sunita Rani is a Sarpanch of the village.

Learned counsel for the petitioner states that the Gram Panchayat land is adjoining to the land of the complainant and there is a dispute regarding demarcation. In the FIR, complainant stated that 50 safeda/euplectus and 5 mango trees had been cut and removed by the

Sarpanch (Petitioner) of the Gram Panchayat.

In pursuance of the interim order dated 01.08.2018 passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. Nothing is to be recovered from her. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 01.08.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

21.09.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No