

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

**CRM-M-25471-2018
Date of decision: 14.02.2019**

Jaswant Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amit Kumar Walia, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 132 dated 09.05.2018, registered under Sections 409, 201 and 120-B of the IPC at Police Station City Jagraon, District Ludhiana.

The operative part of the order dated 11.06.2018, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that vide order dated 07.06.2018 passed in CRM-M-25292-2018, co-accused of the petitioner Jaswant Kaur has been granted the concession of interim anticipatory bail, by passing the following order: -

“Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that she had misappropriated an amount of Rs.4,89,566/- when she was posted as Block Primary Education Officer at Jagraon. It is contended that the allegations pertain to May 2016. The petitioner retired on 30.06.2016 and this FIR has been registered after two years of the alleged incident. It is also contended that a Peon, who was working in the office, had transferred the afore-noted amount in the account of another employee, as is evident from the statement of co-accused Jaspal Kaur before the inquiry officer. A copy of the inquiry report

is annexed as Annexure P3. He also contends that the petitioner is not involved in any other case. Issue notice of motion to the respondent returnable on 25.07.2018. In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation. In the event of her arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further submits that in fact, the petitioner had highlighted the illegalities committed by the subordinate staff, by transferring the public funds in the accounts of private persons and then taking the amount from them in cash and the same was never deposited in the Govt. Treasury. It is further submitted that on the complaint given by the petitioner (Annexure P-2), an inquiry was conducted against other co-accused.

Notice of motion for 25.07.2018.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order 11.06.2018, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Baljinder Kumar, has not disputed the factual position and submits that some bills/documents, which were sent to Accountant General, Punjab for verification, are still pending and the petitioner will be required for further investigation after receiving the report from the office of Accountant General, Punjab.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 11.06.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

On receiving the verification report from the office of Accountant General, Punjab, if the petitioner is required for further

investigation, she will join the investigation as and when required by the investigating officer on having been served with a written notice in this regard.

February 14, 2019
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>