

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

CRM-M No.4355 of 2018

Date of Decision: 04.02.2019

Jitender Kumar

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Ranjit Singh Saini, Advocate
for the petitioner.
Mr. R.S. Doon, A.A.G., Haryana.
Mr. Zorawar Singh Chauhan, Advocate
for the complainant.

DAYA CHAUDHARY, J. (ORAL)

Learned counsel for the petitioner submits that in pursuance of order dated 02.02.2018, the petitioner has joined the investigation and this fact has been affirmed by learned State counsel, on instructions from ASI Satish Kumar.

However, grant of anticipatory bail to the petitioner has been opposed by learned counsel for the complainant.

Admittedly, the petitioner remained as *Sarpanch* up to the year 2015 and the FIR, in question, has been registered in the year 2018 i.e after a period of more than three years. However, inaction on the part of the respondent authorities falls under the ambit of Section 53 of the Haryana Panchayati Raj Act, 1994. Moreover, no fact finding enquiry has been initiated. The proceedings are still pending against the petitioner. It is only an anticipatory bail.

In view of the above, the interim order dated 02.02.2018 passed in favour of the petitioner is made absolute.

The petition is disposed of accordingly.

**(DAYA CHAUDHARY)
JUDGE**

04.02.2019

gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No