

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

**CRM-M No.49542 of 2019
Decided on: 05.12.2019**

Usha and others

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

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

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.195 dated 25.06.2019 registered under Sections 120-B, 409, 420, 467, 468, 471 IPC at Police Station Asauda, District Jhajjar.

The operative part of the order dated 21.11.2019, vide which interim anticipatory bail has been granted to the petitioners, is reproduced as under:-

“....Learned counsels for the petitioners have relied upon the order dated 15.11.2019 passed in CRM-M-48447-2019, vide which co-accused of the petitioners, namely Amit Kumar @ Mitta and Vivek Chahlia @ Chotu have been granted the concession of interim anticipatory bail. It is further submitted that petitioner Pardeep Kumar is son of brother-in-law of Anil Kumar, Sarpanch, whereas petitioners Usha, Annu and Ajit Singh are sister-in-law, niece and nephew of co-accused Anil Kumar, respectively. Learned counsels further submit that there is no allegation against the petitioners and they are nominated on the basis of disclosure statement of said Anil Kumar. It is also submitted that challan qua Anil Kumar and Ajay Ranga stands presented before the trial Court.

Notice of motion for 05.12.2019....”

Counsel for the petitioners has submitted that, in

pursuance to the order dated 21.11.2019, the petitioners have appeared before the Investigating Officer and have joined the investigation.

Counsel for the petitioners has further argued that except the disclosure statement of the co-accused namely Anil Kumar, Sarpanch of village Kheri Jasor, there is no other evidence that he had given any amount to the petitioners. It is also submitted that the petitioners have no concern with the management of the Gram Panchayat and the amount has been withdrawn under the signatures of the Sarpanch and the Block Development and Panchayat Officer. It is further argued that both the main accused, Anil Kumar Sarpanch and Ajay Ranga, the Panchayat Secretary along with two other co-accused namely Satpal and Raj Singh are in custody.

Counsel for the State, on instructions from ASI Azad Singh has argued that though the petitioners have joined the investigation however, some amount is to be recovered from them.

Without commenting anything on merits of the case, considering the submissions made by counsel for the parties and also in view of the fact that the petitioners are nominated only on the basis of the disclosure statement of the co-accused, this petition is allowed and the interim bail granted to the petitioners vide order dated 21.11.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

05.12.2019

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No