

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-491-2020

Date of Decision: 14.01.2020

Suman Devi

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sudhir Rana, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

...

Manoj Bajaj, J.(Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.441 dated 04.11.2017, under Section 409 IPC, registered at Police Station Kanina, District Mohindergarh. She is in custody since her arrest on 18.12.2019.

The FIR was registered on the basis of a written complaint dated 21.08.2017 received from Block Development and Panchayat Officer, Kanina on 4.11.2017, wherein a request was made for registration of FIR against Ex Sarpanch Suman Devi for the offence punishable under Section 409 IPC. As per the allegations, she had misappropriated the government money and had caused a loss to the tune of ₹1,75,509/-.

Learned counsel for the petitioner contends that the alleged occurrence is of the year 2017 and the petitioner has been arrested only on 18.12.2019. According to him, the investigation of the case is complete and the petitioner is confined in judicial custody. He prays that the petitioner be released on regular bail as her further custody is not required for any useful

purpose.

On the other hand, learned State counsel assisted by ESI Vijay Pal has opposed the prayer on the ground that the petitioner had committed embezzlement of ₹1,75,509/- of government money while working as Sarpanch of village Karira. She does not dispute the fact that the investigation is complete and the challan has been presented.

After hearing learned counsel for the parties, this Court finds that the investigation of the case is complete and as the offence punishable under Section 409 IPC is triable by the Magistrate, therefore, keeping in view the fact that the trial of the case is likely to consume considerable time, further custody of the petitioner, who is a lady is not necessary. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Narnaul.

The petition is allowed.

14.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No