

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

CRM-M-18577 of 2020

Date of Decision : 13.07.2020

Ranjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

This is the second petition filed under Section 438 Cr.P.C. for the grant of anticipatory bail in respect of FIR No.163 dated 01.10.2018 under Section 409 IPC registered at Police Station City Nawanshahar, District S.B.S Nagar.

Learned counsel for the petitioner argues that the allegations against the petitioner is that she has embezzled a sum of Rs.8,14,492/- during the period, when the petitioner was working as Sarpanch of the village. Learned counsel for the petitioner submits that the petitioner has deposited a sum of Rs.4,00,000/- on 27.05.2019 thereafter, after the withdrawal of first anticipatory bail application a sum of Rs.4,13,000/- was deposited on 21.01.2020 and another sum of Rs.18,000/- was deposited on 28.01.2020 and, therefore, the petitioner has already deposited the total amount of Rs.8,31,000/-, embezzlement of which was alleged against her

alongwith interest.

Notice of motion.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel on instructions from ASI, Jaswinder Singh submits that the petitioner has embezzled a huge amount while working as Sarpanch of the village whereas the petitioner was required to spend the said amount on the welfare of the residents of the village but, she misappropriated the same and as a result, the said amount could not be used for the welfare of the residents of the village. Learned State counsel further submits that the petitioner has already been declared a proclaimed offender by the trial Court and, therefore, the prayer of the petitioner for the grant of anticipatory bail may kindly be declined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The petitioner has already deposited the total amount, which was alleged to have been embezzled by her alongwith interest after she withdrew the first anticipatory bail application. Learned counsel for the petitioner undertakes that the petitioner will join and cooperate in the investigation.

Learned State counsel has not brought to the notice of this Court that anything more is to be recovered from the petitioner.

Keeping in view the above, let the petitioner surrender before the trial Court and upon her surrender, she be admitted on bail by the trial

Court subject to her joining and cooperation in the investigation. The terms and conditions of the bail will be decided by the trial Court while admitting the petitioner on bail. Petitioner is further directed to place on record before the trial Court, the proof of deposit of amount of Rs.,8,31,000/-, which the petitioner has deposited as stated in this petition.

The petition stands disposed of in above terms accordingly.

July 13, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No