

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

**CRM-M-1596 of 2021
DATE OF DECISION :- April 19, 2021**

Kuldeep Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Ritesh Aggarwal, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

The case has been taken up through Video Conferencing.

This petition for pre-arrest bail has been filed by petitioner Kuldeep Kaur, wife of Rajveer Singh, aged 50 years, resident of Rajoana Kalan, Ludhiana, an accused in F.I.R. No. 009 dated 28.2.2020 registered with Police Station Sudhar, District Ludhiana for offence under Section 409 IPC.

Briefly stated the prosecution story is that petitioner Kuldeep Kaur while functioning as a Sarpanch of village Rajoana Kalan had committed fraud and misappropriation of government money. After registration of the F.I.R, apprehending her arrest, she had approached the Court of Sessions at Ludhiana by filing an application for grant of anticipatory bail but was unsuccessful, as such she has approached this Court craving for grant of similar relief, notice of which has been given to the State.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Learned counsel for the petitioner has stated that petitioner is innocent and has not committed any offence and whatever amount had been withdrawn from the account of Gram Panchayat that was done after passing of valid resolutions by the Gram Panchayat and the entire amount so withdrawn is accounted for. He has further submitted that petitioner has joined the investigation in terms of the directions issued to her by this Court and no recovery is to be effected from her, therefore, the petition be accepted.

Learned State counsel on instructions from ASI Sarbjit Singh has conceded the factum of petitioner having joined the investigation further stating that no recovery is to be effected from her, therefore, her custodial interrogation is not required.

Under such circumstances, the interim bail granted to the petitioner on 13.1.2021 is made absolute, subject to the following conditions :-

- (i) she shall join the investigation as and when so directed.
- (ii) she shall appear in the Court on each and every date of hearing.
- (iii) she shall not give any threat or intimidation to the prosecution witnesses.
- (iv) she shall not leave India without prior permission of the Court.
- (v) she shall surrender her Passport before the Investigating Officer and if she is not having Passport then shall file the affidavit in that regard.

In case the petitioner violates any term and condition on which

the bail has been granted to her, the prosecution would be entitled to apply for cancellation of bail.

The petition stands allowed accordingly.

(H.S. MADAAN)
JUDGE

April 19, 2021
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No