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

**CRM-M-3785-2021
Date of Decision: 22.04.2021**

Pushminder Kaur Sarpanch

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. C.L. Premy, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. AG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure seeking anticipatory bail in case FIR No.0002 dated 03.01.2021, registered under Sections 409 & 420 of the Indian Penal Code at Police Station Bilga, Tehsil Phillaur, District Jalandhar Rural.

[2]. Seen affidavit of Parvinder Singh, Panchayat Secretary of Gram Panchayat Khela Block Phillaur, District Jalandhar along with copy of Letter No.15/35/07-G 2/13601-705 dated 02.05.2007 (Annexure R-1) issued by the Government of Punjab, from which it transpires that record of the Panchayat is meant to be maintained by the Panchayat Secretary, although the same is kept in custody of the Sarpanch, who, if he does not hand over the same to the Panchayat Secretary and B.D.O. for maintenance, would become liable for departmental legal proceedings.

[3]. Ld. State Counsel submits that pursuant to the previous order,

the petitioner has handed over all the available records pertaining to the Panchayat, except for the receipt of the disputed second hand engine purchased.

[4]. From his side Ld. Counsel for the petitioner submits that such receipt was taken over by Buta Singh husband of the complainant from the petitioner.

[5]. In the overall circumstances, considering that recovery of almost all documents has been made by way of handing over the same by the petitioner herself, and custody of one single document pertaining to an item, the monetary value of which itself is not very high, remains disputed, in the opinion of this Court, custodial interrogation of the petitioner, who is a woman, is not called for, at this stage.

[6]. Consequently, the interim bail granted to her earlier on 28.01.2021 is hereby confirmed.

[7]. Disposed off.

22.04.2021

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No