

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

CRM-M-8422-2021

Date of decision : 20.12.2021

Sukhwinder Kaur (Sarpanch)

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Shubham, Advocate for
Mr.J.S.Thind, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.3 dated 21.01.2021 registered under Sections 409/120-B IPC at Police Station Maur, District Bathinda.

On 23.02.2021, a co-ordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while inter-alia arguing that the petitioner has already joined the investigation conducted by the ADC (Development) Bathinda and in the enquiry conducted by the said authority the expenditure qua the amount in question of Rs.19,000/- has already been explained. It is further contended that as regards Resolution dated 15.02.2020, it does not bear the signatures of the petitioner herein. It is also submitted that no recovery is to be effected from the petitioner and she is ready and willing to join the investigation.

Notice of motion.

Ms. Samina Dhir, DAG, Punjab accepts notice on behalf of the respondent State and seeks time to file reply.

Adjourned to 11.08.2021.

Meanwhile, petitioner is directed to join the investigation within a period of one week and on doing so, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined investigation.

Learned State counsel, on instructions from SI Joginder Singh, has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances, moreso, the facts which have been noticed in the order dated 23.02.2021 and also the fact that the petitioner has joined investigation, the present petition for anticipatory bail is allowed and the interim order dated 23.02.2021 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

December 20, 2021

Davinder Kumar