

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-8633 of 2021
Date of Decision: 08.04.2021

Smt. Leelawati

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Ketan Anil, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 24.02.2021, the petitioner is stated to have joined investigation.

A reply on behalf of the respondent State has been filed by the DSP, State Crime Branch, Rohtak, eventually stating therein that the petitioner having been a Panch of the Gram Panchayat and having misused her position by executing a gift deed in the name of ineligible persons, and not having got the original record of the Gram Panchayat recovered, therefore her custodial interrogation is required.

Learned State counsel further points out that a report under Section 173 of the Cr.P.C. has been filed against various other co-accused.

As regards non-submission of the record of the Panchayat, learned counsel appearing for the petitioner submits that the petitioner having remitted office as a Panch in the year 2015, at that stage itself the entire record would have

been handed over to the new Panchayat; and therefore at this stage the petitioner may not be subjected to custodial interrogation after about 6 years, she in any case having been only a Panch and not the Sarpanch.

In view of the above, the petition is allowed and the aforesaid order dated 24.02.2021 is made absolute.

April 08, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No