

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

CRM-M-11578-2020

DECIDED ON: 5th JULY, 2021

SUKHDEV SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. N.P.S.Mann Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Rahul Bhargav, Advocate
for the complainant.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed for grant of anticipatory bail in FIR No. 7, dated 06.02.2020 under Sections 406, 408, 409, 419, 420, 465, 467, 468, 471 & 120-B IPC read with Section 13 (2) of Prevention of Corruption Act registered at Police Station Patara, District Jalandhar Rural.

This Court vide order dated 18th March, 2021 granted the interim bail subject to joining investigation. The order is reproduced below:-

“ Learned counsel for the petitioner contends that Chaman Kaur, Sarpanch of Village Khichipur, Block Adampur, Tehsil and District Jalandhar had a tenure from May, 2008 to May, 2013. Petitioner remained posted as Block Development Panchayat Officer from 05.08.2008 to

09.08.2010 i.e. for a period of about 2 years. Thereafter, other BDPOs remained posted. The audit of funds of the Gram Panchayat was done on 06.04.2011 and 07.04.2011. The period of account enquiry was from October, 2004 to March, 2011 wherein no misappropriation was found to in the funds of the Gram Panchayat. No stock of the Gram Panchayat was found to have been misused.

Learned counsel by referring to Para 12 of the aforesaid audit report, disputes the allegations made in the FIR.

Notice of motion for 12.05.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 22.03.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the complainant vehemently opposes the grant of anticipatory bail.

Learned State counsel, on instructions from ASI Kamal Nath, submits that the petitioner has joined the investigation and his custodial interrogation is not required. She further, on instructions, submits that it is a case based on the documentary evidence.

As no custodial interrogation is needed, the interim bail granted on 18th March 2020 is made absolute.

Disposed of accordingly.

(AVNEESH JHINGAN)
JUDGE

5th JULY, 2021
shabha

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*