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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.15782 of 2021(O&M)
Date of Decision: 14.07.2021

Bhupinder Singh @ Bhupinder Saini.....Petitioner
Vs
State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Shobit Phutela, Advocate
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.0265 dated 15.07.2020 registered under Sections 120-B, 409 and 420 IPC at Police Station Ladwa, Kurukshetra.

On 09.04.2021, following order was passed by this Court:-

"The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioner contends that the petitioner is Sarpanch of Village Jogi Majra, District Kurukshetra. The allegation is of pilferage of

cement in the construction of house of his brother. 13 empty bags of cement having brand mark of 'Shree Cement PPC not for retail' were found.

Learned counsel further submits that construction of Community Centre was going on during the lockdown period and due to the situation arising out of COVID-19 pandemic, cement from government office was not readily available. The Gram Panchayat passed a resolution on 17.06.2020 vide which a cheque in a sum of Rs.69,900/- for 300 bags of cement was submitted by the Block Office. Cement was not made available. Since foundation of the community centre had already been completed and due to rainy season ahead, the foundation work may have to be re-worked again, therefore, in order to avoid loss to the Gram Panchayat and to ensure continuation of development work, a resolution was passed on 25.06.2020 for borrowing 50 bags of cement from brother of the petitioner. 50 bags of cement were procured from brother of the petitioner out of which 13 bags were used at the time of inspection by the officials. In this manner, the allegations are claimed to be nonexistent.

Notice of motion for 14.07.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 16.04.2021 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.

Nothing expressed hereinabove shall be construed to be an opinion in the merits of the case.”

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from Inspector Prem Singh admits the aforesaid fact and submits that the petitioner is no more required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 09.04.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

14.07.2021

Prince

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No