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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11846-2020

DECIDED ON: 5th JULY, 2021

CHAMAN KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Jasdev Singh Mehndiratta, 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 and Section 13 (2) of Prevention of Corruption Act
registered at Police Station Patara, District Jalandhar Rural.

This Court vide order dated 20th March, 2021 granted the
interim bail subject to joining investigation. The order is reproduced
below:-

*“ Learned counsel for the petitioner contends that
petitioner remained Sarpanch from May, 2008 to May, 2013
of Village Khichipur, Block Adampur, Tehsil and District
Jalandhar. 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. No*

misappropriation was detected in the funds of the Gram Panchayat and no stock of the Gram Panchayat was found to have been misused by anyone. The audit was conducted by selecting months at random and no misconduct was found on behalf of the petitioner. In view of Para 12 of the audit report, the allegations forming subject matter of FIR are proved to be incorrect.

Notice of motion for 12.05.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 24.03.2020 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.

To be heard along with CRM-M No.11578 of 2020.”

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 20th March 2020 is made absolute.

Disposed of accordingly.

(AVNEESH JHINGAN)
JUDGE

5th JULY, 2021
shabha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>