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

**(Through video conferencing)**

**CRM-M No.28153 of 2021  
Date of Decision: 05.10.2021**

**RAJBALA**

**.....Petitioner**

**Vs**

**STATE OF HARYANA**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Manoj Tanwar, Advocate  
for the petitioner.

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

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**RAJ MOHAN SINGH, J.(Oral)**

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.651 dated 12.12.2019, registered under Sections 409 IPC (Section 201 IPC added later on) at Police Station Pataudi, District Gurugram.

Petitioner is a lady, who was Sarpanch of the Gram Panchayat from the years 2010 to 2015. The allegations are that during the year 2012-2013, petitioner leased out *shamlat* land to one Nand Kishore for one year for a consideration of Rs.1,22,000/, but the petitioner did not deposit the lease amount

in the account of Gram Panchayat. The FIR was lodged on 12.12.2019 i.e. after four years of cessation of office of Gram Panchayat by the petitioner. Further allegation is that the petitioner after receiving the receipt from the lessee torn it away.

As per status report filed by the State, challan under Section 173 Cr.P.C. has already been filed on 25.05.2021. Charges have been framed and even two of the prosecution witnesses have been examined. The petitioner was arrested on 16.04.2021.

Learned counsel for the petitioner submits that the offence is triable by the Magistrate. Petitioner is no more required for any further investigation in the case.

Learned State counsel however opposed the bail on the ground that petitioner being a public servant embezzled the public amount by not depositing in the account of Gram Panchayat.

The complicity of the petitioner would remain debatable. Challan has already been presented and charges have been framed. Even two of the prosecution witnesses have been examined. The offence is triable by the Magistrate. Petitioner is in custody since 16.04.2021.

In view of aforesaid facts of the case and in view of the situation arising out due to COVID-19 pandemic, I deem it

appropriate to enlarge the petitioner on regular bail, without  
adverting to the merits of the case,

In view of above, petition is allowed. Petitioner is  
ordered to be released on bail, subject to her furnishing  
adequate bail bonds/surety bonds to the satisfaction of the trial  
Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to  
be an expression of any opinion on merits of the case.

October 05, 2021

*Atik*

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)**  
**JUDGE**

Yes/No

Yes/No