

**In the High Court of Punjab and Haryana at Chandigarh**

**CRM-M No. 28224 of 2022**

**Date of Decision: 06.7.2022**

Lata Devi

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR**

Present: Mr. Himmat Singh Deol, Advocate  
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

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**SURESHWAR THAKUR, J. (ORAL)**

1. Through the instant petition, cast under Section 438 Cr.P.C., the petitioner claims indulgence of hers becoming admitted to anticipatory bail, in respect of FIR bearing No. 152 of 27.4.2022, registered at Police Station Dharuhera, District Rewari, constituting therein offences, under Sections 409, 420, 467, 468, 471, 506, 120-B of the IPC.

2. The present bail petitioner is a Panch of Gram Panchayat Jonawas. She was the Panch in the Gram Panchayat from the period commencing from the year 2010, and, ending on 2015. The allegation against the petitioner, is that, she forged the muster rolls, for the performing of works, under MANREGA, rather of certain persons, who are otherwise incapacitated to be muster rolled as daily wagers. However, apart from the above, no other evidence has been placed on record by the prosecution, suggestive of the fact, that the wages, as were shown in the relevant register, and, were also to be liquidated to the persons concerned, never became

liquidated to them, nor any evidence has been placed on record, suggestive of the fact, that the works in respect whereof the engagement of certain labourers, was made by the Panch concerned, did not come to be either commenced or never became completed.

3. In consequence, any legal capacitation of any nature in the assigning of muster rolls to certain persons, cannot ultimately bring home any conclusion, that there was any wrongful loss caused to the State, or any wrongful gain was caused to the persons concerned, and, nor any firm inference can be drawn by this Court, that the allegation made by the respondent-State, against the petitioner, is well founded.

4. Furthermore, in the wake of it being submitted, at the bar, by the learned State counsel, that in pursuance to the order, comprised in Annexure P-3, rather containing a direction against the Sarpanch of the Gram Panchayat concerned, to deposit the purportedly embezzled sum of Rs. 6.00 lacs, hence the Sarpanch concerned, making the above deposit. In sequel, at this stage, prima facie, the allegation against the petitioner become(s) completely subsumed therewithin(s). Resultantly, this Court finds merit in the petition, and, proceeds to admit the present petitioner on anticipatory bail.

5. Consequently, the instant petition is allowed. The bail applicant-petitioner is admitted to anticipatory bail, and, in the event of her arrest, she may not be arrested by the investigating officer concerned. However, subject to the bail applicant-petitioner furnishing personal, and, surety bonds in the sum of Rs. 50,000/- each, to the satisfaction of the arresting officer. Furthermore, the bail applicant-petitioner shall also give an undertaking before the arresting officer, that as and when she is

summoned through a written Hukamnama, she shall ensure hers rendering cooperation to the investigating officer. Moreover, she shall also give an undertaking that she shall not influence the prosecution witnesses, nor shall tamper with the prosecution evidence.

6. The afore observations are meant only for the disposal of the present petition, and, shall not affect the merits of the trial arising from the FIR (supra).

**(SURESHWAR THAKUR)**  
**JUDGE**

**July 06, 2022**  
**Gurpreet**

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