

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44925-2022
DECIDED ON: 28.09.2022

BHATERI EX-SARPANCH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Sharad Choudhary, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The petitioner in the instant petition has sought anticipatory bail under Section 438 of the Code of Criminal Procedure arising out of FIR No.0319, dated 24.12.2021, under Sections 409 and 420 of the Indian Penal Code, 1860, registered at Police Station Badhra, District Charkhi Dadri, Haryana.

Learned counsel for the petitioner contends that the petitioner is a lady and Ex-Sarpanch of village Chandwas, District Bhiwani, Haryana and has been booked for an offence of usurping the amount of panchayat fund to the tune of Rs.10,000/-. It has been submitted that the alleged embezzled amount has already been deposited in the account of the Gram Panchayat along with interest by the petitioner and she is ready and willing to join the investigation as and when required by the Investigating Officer.

Notice of motion.

On the asking of the Court, Mr. Surender Singh, AAG, Haryana accepts notice on behalf of respondent-State and on instructions from ASI Jagjeet submits that the entire amount has been deposited in the account of Gram Panchayat and the petitioner is not required for any further custodial interrogation as no recovery is to be made from her.

In view of the above, the petition is allowed and the petitioner shall join the investigation within a period of one week from today and would come present as and when called for and in the event of her arrest, the petitioner shall be admitted to anticipatory bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. In case, the petitioner shall not join the investigation, the respondent-State has right to file cancellation of the anticipatory bail granted to the petitioner.

(SANDEEP MOUDGIL)
JUDGE

28.09.2022

Poonam Negi

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