

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M-4306 of 2023(O&M)
Date of Decision: 01.05.2023

Seema Devi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. S.S. Dinarpur, Advocate with
Mr. Sumit Gujjar, Advocate and
Mr. Arvind Singh, Advocate
For the petitioner.

Mr. Vishal Kashyap, DAG Haryana.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 182 dated 15.09.2020, registered under Sections 409, 420, 120-B, 201 and 216 IPC at Police Station Babain, District Kurukshetra.

2. FIR in the present case was registered against the petitioner and other accused persons on the basis of enquiry conducted by SDO (Civil), Ladwa as per which the petitioner being *Sarpanch* of the village along with his brother Kuldeep Singh and *Gram Sachiv* Somi Sindhu embezzled amount of Rs.24,41,336/- belonging to *Gram Panchayat* of the village. During investigation the petitioner was arrested.

3. The counsel for the petitioner submits that the petitioner is falsely implicated in the present case and is in custody for the last 11 months and co-accused Somi Sindhu and Kuldeep Singh are enlarged on bail by the Co-ordinate Bench of this Court vide orders Annexure P-5 and P-6. The counsel for the petitioner further submits that after completion of investigation challan has been presented and charges are framed but no prosecution witness has been examined. So, prayer is made that the petitioner who is a lady be released on bail.

4. The present petition is contested by the State counsel who submits that petitioner and other co-accused colluded with each other and embezzled huge amount of *Gram Panchayat* and lateron they destroyed the concerned record of *Gram Panchayat*. However, the State counsel on instructions from SI Rajbir has not disputed the fact that the petitioner is in custody for the last more than 11 months and is not facing any other criminal case and that the trial is at its initial stage.

5. I have considered the submissions made by counsel for the parties.

6. Admittedly, all the offences are triable by the Court of Judicial Magistrate Ist Class and the petitioner is in custody for the last more than 11 months and co-accused Somi Sindhu and Kuldeep Singh are given benefit of regular bail vide orders, Annexures P-5 and P-6. Further, the trial is at its initial stage and is not likely to conclude anytime soon. So, no useful purpose would be served by keeping the petitioner behind the bars.

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject

to her furnishing bail bonds/surety bonds to the satisfaction of the trial
Court/Chief Judicial Magistrate/Duty Magistrate concerned.

01.05.2023

Jiten

(KARAMJIT SINGH)
JUDGE

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