

256 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26754-2023
Date of decision: 11.9.2023

Gurpreet Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rahul Bhargava, Advocate for the petitioner(s).

Mr. Karunesh Kaushal, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
16	02.05.2023	Vigilance Bureau, FS-1, Punjab at Mohali	409, 420, 465, 466, 468, 471, 120-B IPC and 13(1), (a) read with Section 13(2) of the Prevention of Corruption Act

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. The allegations against the petitioners are that she received huge compensation from the State for Guava Trees planted on her land, where none existed.
3. Vide order dated 20.07.2023, the petitioner was granted interim protection, which is continuing till date. On 01.09.2023, interim order was extended subject to compliance of condition of declaring assets on a notarized affidavit.
4. Petitioner’s counsel submits that the petitioner has voluntarily complied with the order dated 01.09.2023 and handed over affidavit to the State counsel.
5. However, on instructions, counsel for the State has opposed the bail on the ground that now all the beneficiaries are depositing the entire compensation amount and some have even deposited the interest accrued thereupon. At this, petitioner’s counsel submits that they would also deposit the balance of compensation amount.
6. Given the candid stand of the petitioner, he is directed to deposit the entire

compensation amount by 30.09.2023. It is clarified that although the affidavit has been handed over to the State but after deposit of the compensation amount, the investigator shall return the original affidavit to the petitioner. It is further clarified that since the offer of returning the entire compensation amount is voluntary, it is clarified that in case, the petitioner fails to deposit the fine till 30.09.2023, State shall file an application for cancellation of bail. It is further clarified that in case, the petitioner is held entitled to the money in any legal proceedings, he may raise claim for any interest thereupon.

7. Given above, petition is allowed in the terms mentioned above. Interim order dated 20.07.2023 is made absolute. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

11.09.2023
sonia arora

Whether speaking/reasoned: Yes
Whether reportable: No.