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

CRM-M-57563-2025 (O&M)

Date of Decision: 10.02.2026

POOJA SHARMA**... Petitioner****Versus****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. R.S. Rai, Senior Advocate with
Mr. Karan Pathak, Advocate for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.0355 dated 16.10.2022 registered under Sections 120-B, 409 of IPC and Section 13 of Prevention of corruption Act (Section 420 IPC and Section 7, 13(1) (b) read with Section 13(2) of Prevention of Corruption Act, 1988 added later on) Police Station Ballabgarh Sadar, District Faridabad.

2. The present FIR was registered on the complaint of Satbir Kapasia with the allegations that he had worked as Panch of Gram Panchayat Mujeri from the year 2016 to 24.02.2021. On 09.10.2020 Sarpanch Braham Pal had conspired with village Secretary Joginder and BDPO Pooja Sharma and in conspiracy with each other they paid an amount of approximately Rs. 22 crore, although neither any administrative approval was taken nor any development work was due in the village. Out of the aforesaid amount,



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Rs.17.14 crore was paid to some of the companies viz Design Code, S.K. Enterprises, A.K. Enterprises, Sai Trading Company, Farhan Enterprises, Raghav Building Material Supplier and Contractor, Sakir Building Material Supplier and Contractor, Hiralal, Rasik Bihari Pvt. Ltd. etc. on 22.02.2021. After completion of tenure of Panchayat work, they did not deposit the record of Panchayat despite giving notice to the Village Secretary Joginder and Sarpanch Braham Pal and later on, on 30.05.2021 a complaint was made that record of the Panchayat was lost and it appears that the aforesaid officials in collusion with each other misplaced the record intentionally in order to conceal the fraud. It was further alleged that the aforesaid company belongs to relatives of the accused Pooja Sharma, BDPO (Petitioner) and other accused.

3. The learned counsel for the petitioner contends that the present FIR is the second one in respect of the same set of offences and therefore could not have been registered in view of the law laid down by the Hon'ble Apex Court in ***T.T. Antony Vs. State of Kerala, (SC) 2001(3) RCR (Crl.) 436***. In fact, the complainant had initially filed a complaint before the DC, levelling allegations against the then Acting Sarpanch of Village Mujeri, namely Brahampal, who had made payments to various firms without the permission of any competent officers and without any work having been done. Based on the said complaint, an inquiry had been ordered leading to the registration of the first FIR No.51 dated 02.02.2022 under Sections 120-B, 406, 409, 420, 467, 468 and 471 of IPC, 1860. The petitioner was not

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named in the said FIR or in the consequential report under Section 173(2) Cr.P.C. Later, a second complaint was filed with respect to the same incident naming the present petitioner as well with the allegations that she along with others had given contracts for building/construction to her brother, Lalit Mohan Sharma. In fact, the work regarding the said construction of streets, lighting and tiles in Village Mujeri had started before the posting of the petitioner. As she is in custody since 09.09.2025, report under Section 173(2) Cr.P.C. stands submitted and none of the 47 prosecution witnesses has been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, she is entitled to the concession of bail, moreso as she is a lady and some co-accused have also been granted bail.

3. The learned State counsel, on the other hand, contends that the petitioner along with her co-accused was involved in the misappropriation of Panchayat funds. Therefore, she is not entitled to the concession of bail. He, however concedes that the petitioner is in custody since 09.09.2025 and that none of the 47 prosecution witnesses has been examined so far.

4. I have heard the learned counsel for the parties.

5. The veracity of the prosecution case against the petitioner and her co-accused shall be adjudicated upon during the course of the Trial. Admittedly, she is in custody since 09.09.2025 but none of the 47 prosecution witnesses has been examined so far. There is no apprehension expressed by the State that the petitioner is likely to abscond from justice or tamper with evidence in case she has granted the concession of bail. In this

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situation the further incarceration of the petitioner is not required, moreso as she is a lady.

6. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Pooja Sharma W/o Atishersthra Verma is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

7. If the petitioner or her family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

8. The petition stands disposed of.

10.02.2026

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**(JASJIT SINGH BEDI)
JUDGE****Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No**