

CRM-M-68738-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M-68738-2025  
Decided on :07.03.2026

Pawan Kumar

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Neeraj Goyal, Advocate for the petitioner.

Mr. P.K. Jhanda, Sr. DAG, Haryana.

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**SANJAY VASHISTH, J. (Oral)**

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.265 dated 14.05.2025, under Sections 316(5), 336(3), 338, 340(2) and 61 of BNS, registered at Police Station Assandh, District Karnal.

2. As per the allegations, the petitioner was elected as Sarpanch of Village Mundh, District Karnal, for the period 2021 onwards. The FIR alleges that upon reviewing the records presented by the petitioner, it was found that the records did not pertain to the tenure of the former Sarpanch for the period 2011–2016.

Under Section 18 of the Haryana Panchayati Raj Act, the petitioner was directed to supply the records for the period 2016–2021. However, it is

alleged that the petitioner destroyed the complete records pertaining to that period. It is noted that Ms. Veena Devi was functioning as Sarpanch of the village during 2016–2021. The records demanded by the department included:

- i) Proceedings of all schemes, Panchayat fund, PRI, HRDF, MNREGA;*
- ii) Cashbooks of all schemes;*
- iii) Voucher files of all schemes;*
- iv) Stock registers of all schemes;*
- v) MBs of all schemes;*
- vi) Muster rolls of all schemes;*
- vii) Lease registers;*
- viii) Bank passbooks and receipt books;*
- ix) House tax register and its receipt book, etc.*

3. Learned counsel for the petitioner submits that the allegations are false. Petitioner cannot be held liable for the non-availability of records prior to his assumption of office as Sarpanch. The responsibility for maintaining the records of the village was solely that of the Gram Sachiv. No steps were taken by the concerned authorities to demand the records during the tenure of Smt. Veena Devi, which may indicate that the officials themselves were negligent or conniving with the previous Sarpanch or the Panchayat Secretary.

4. Learned counsel further submits that petitioner is in custody since 16.09.2025, and any further incarceration would not serve any meaningful purpose. The investigation has already been completed, and the final report has been submitted on 14.11.2025. Since the charges are yet to be framed, the trial is likely to take considerable time, counsel prays for grant of regular bail.

5. On the other hand, learned State counsel opposes the prayer for bail and submits that petitioner is facing serious allegations. Learned State counsel further submits that the official records of the village have been destroyed, and, therefore, no leniency can be shown while considering the petitioner's plea for bail.

6. I have heard Learned Counsel for the parties and perused the paper book and the documents appended thereto.

7. Considering that the offences alleged are triable by the Court of Magistrate, and that the petitioner is in custody since 16.09.2025, trial is yet to commence, this Court finds that further detention of the petitioner would serve no meaningful purpose. It is also noticed that the petitioner is not found to be involved in any other criminal case in the past.

In view of the above facts and circumstances, and without commenting upon the merits of the case, this Court does not find any justification to continue the detention of the petitioner in custody. Accordingly, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an

independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

9.               Petition stands disposed of.

(SANJAY VASHISTH)  
JUDGE

07.03.2026  
*Rashmi*

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