

146

2025:PHHC:053257



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

**CRM-M-21928-2025  
DECIDED ON: 25.04.2025**

**ANUJ KUMAR**

**.....PETITIONER**

**VERSUS**

**STATE OF HARYANA**

**.....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. P.S. Ahluwalia, Advocate and  
Ms. Keerat Dhillon, Advocate  
for the petitioner.

**SANDEEP MOUDGIL, J (ORAL)**

**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 of BNSS 2023 for grant of Anticipatory Bail to the present petitioner in FIR No.0023 dated 05.03.2025 under Sections 409, 201, 120-B of IPC registered at Police Station Barara, District Ambala.

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

*'Sir, the copy allocation is as follows- To, SHO Police station Barara, subject about tampering and destruction of records by the Gram Secretary and Sarpanch of Gram Panchayat Talhedi Rangdhan in collusion. Sir it is requested that I am gurdeep Singh son of Karamjit Singh, resident of village Talhedi Rangdhan police station Barara district Ambala and am a prominent person of the village. That in the year 2020, I had complained to BDPO Barara through CM window that*

*the then sarpanch Harish Kumar has embezzled lakhs of rupees in the name of village development during his tenure and he can destroy or burn the records in any way, the records should be taken from him and kept safe with the administration, at that time the then Gram Secretary Yashpal had given a written statement that the records are safe with me. After that, I had sought RTI for getting the records of Gram Panchayat in the year 2022-2023. But I did not get any reply nor any record. Then I appealed to Haryana State information commission Chandigarh, on which it was ordered that FIR should be registered against whoever has damaged the panchayat records. I am fully confident that the Panchayat records of our village have either been destroyed or burnt by former Sarpanch Harish Kumar or Secretary Yash Pal or Secretary Anuj Kumar or current Sarpanch Rinku in collusion. Because even now the current Sarpanch has the gram Panchayat not complete record of the Panchayat. Due to which the development of our village is being hindered. Hence, our village former Sarpanch Harish Kumar from 2016-2021 and the then village secretary Yashpal and then village secretary Anuj Kumar hatched a criminal conspiracy and swindled lakhs of rupees in the name of development of our village panchayat and destroyed or tampered the records of the panchayat of that time. Please register a case against the above culprits and take legal action.'*

3. **Contention**

**On behalf of the petitioner**

Learned counsel for the petitioner contends that the petitioner was appointed as Panchayat Secretary of Village Talhedi Rangdhan in July 2022, which was after the tenure of Sarpanch Harish Kumar, who held office from 2016 to 2021 and the allegations of misappropriation of funds relate specifically to the period during Harish Kumar's tenure, and the petitioner

has no involvement or connection with the same in any capacity. It has been contended on behalf of the petitioner that his co-accused namely Harish Kumar has already been enlarged on anticipatory bail by this Court vide order dated 28.03.2025 (Annexure P-2) passed in CRM-M-17282-2025. He undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer concerned.

Notice of motion.

**On behalf of the State/complainant**

On the asking of the Court, Mr. B.S. Virk, Sr. DAG, Haryana accepts notice on behalf of the respondent-State and Mr. Fateh Saini, Advocate has put in appearance on behalf of the complainant and filed his Memorandum of Appearance, which is taken on record, who seek dismissal of the instant petition on the ground that the petitioner along with other co-accused have hatched a criminal conspiracy and embezzled huge amount of Panchayat funds and destroyed the record. He submitted that the custodial interrogation of the petitioner is required to unearth the whole conspiracy.

4. **Analysis**

Be that as it may, considering the fact that the alleged misappropriation of funds pertains to the period from 2016 to 2021, which corresponds to the tenure of Sarpanch Harish Kumar and the fact that co-accused namely Harish Kumar has already been enlarged on anticipatory bail by this Court vide order dated 28.03.2025 (Annexure P-2) passed in CRM-M-17282-2025; the petitioner is ready and willing to join the investigation and cooperate with the investigating officer concerned as has been undertaken before this Court by learned counsel for the petitioner, this

Court is of the considered view that the petitioner deserves the concession of anticipatory bail at this stage.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

*‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a

period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

**25.04.2025**

*Poonam Negi*

**(SANDEEP MOUDGIL)**  
**JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*