

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**Criminal Misc.No.M-30397 of 2015 (O&M)**

**Date of decision: 16<sup>th</sup> October, 2015**

Sushil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Harish Nain, Advocate,  
for the petitioner.

Mr. Himmat Singh, AAG, Haryana,  
for the respondent(s)-State.

Mr. Bimal Maini, Advocate,  
for the complainant.

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**INDERJIT SINGH, J.**

Petitioner has preferred the instant petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.130 dated 19.06.2014, registered at Police Station Pinjore, District Panchkula, under Sections 323, 506, 379, 452, 427, 420, 467, 120-B IPC.

Notice of motion was issued.

Learned State counsel as well as learned counsel for complainant have appeared and contested the instant petition.

I have heard learned counsel for the petitioner, learned State counsel as well as learned counsel for complainant and have gone through the record.

As per FIR, the specific allegation regarding theft of the material from the plot has not been mentioned against petitioner.

General allegations are levelled. The petitioner has already joined

the investigation. The dispute is regarding the ownership of the property. From the perusal of the record especially the FIR, this Court finds that the petitioner is not required for custodial interrogation. He has already joined the investigation. No useful purpose will be served by sending the petitioner to custody.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the order dated 09.09.2015 passed by this Court, granting interim bail to the petitioner is made absolute.

**16<sup>th</sup> October, 2015**  
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**(INDERJIT SINGH)**  
**JUDGE**