

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

CRM-M -16223 of 2016 (O&M)
Date of decision: 03.08.2016

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Dr. A.K. Bishnoi, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.
assisted by HC Pawan.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.375, dated 23.11.2015, registered under Section 10 of HUDA Act, at Police Station Bhondsi Gurgaon, District Gurgaon.

On 11.05.2016, this Court had passed the following order:-

“Prayer is for grant of anticipatory bail to accused- Sandeep in case FIR No.375 dated 23.11.2015 under Section 10 of the HUDA Act,PS Bhondsi, Gurgaon.

Petitioner accused is owner of the land and is alleged to have carved out unauthorised colony without obtaining permission under the HUDA Act and thereafter sold some of the

land by way of plots.

It is contended that offence is allegedly punishable upto three years and the entire offence is based on documentary evidence.

Notice of motion for 3.8.2016.

Till the next date, in the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 11.05.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 11.05.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

03.08.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No