

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

**CRM-M No.18623 of 2016  
Date of decision: July 23, 2016**

**Hoshiyar Singh**

**...Petitioner**

**Versus**

**State of Haryana**

**...Respondent**

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

Present: Mr. Amandeep Rana, Advocate  
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

**JASPAL SINGH, J.(ORAL)**

The present petition has been preferred by Hoshiyar Singh (aged about 73 years), under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.404, dated 02.11.2015, under Sections 177, 181, 200, 420 of IPC, registered at Police Station Sushant Lok, Gurgaon.

While issuing notice of motion by this Court on May 26, 2016, the following order was passed:-

*“Petitioner is alleged to have furnished a wrong affidavit regarding he being allotted only one residential plot and thereby cheating the Estate officer, HUDA. Counsel for the petitioner submits that the petitioner has not got more than one residential plot allotted on the basis of the affidavit.*

*Notice to the Advocate General, Punjab, for 18.7.2016 for a report whether the petitioner on the basis of false affidavit has been able to get any undue advantage i.e. allotment of more than one plot.*

*Meanwhile, an interim direction is issued that the petitioner will join investigation on or before 11.6.2016. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.*

*In case the statement made by the counsel for the petitioner is found to be incorrect from the record, this petition will be liable to dismissed on this ground alone.”.*

As per the instructions from ASI Madan Singh, learned State counsel has submitted that petitioner has already joined the investigation in compliance of the order dated May 26, 2016, affidavit which is alleged to be a false one has already been recovered and the petitioner is no more required for further investigation.

Taking into consideration the above facts of the case, interim order dated May 26, 2016, is made absolute, subject to the conditions, as envisaged under section 438(2) Cr.P.C.

**July 23, 2016**  
*m. sharma*

**(JASPAL SINGH)**  
**JUDGE**