

**CRM-M-20798-2016 and
CRM-M-20799-2016**

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

Date of Decision:21.09.2016

1. CRM-M-20798-2016

Kuldeep Rai Patwari

... Petitioner

Versus

State of Haryana and another

... Respondents

AND

2. CRM-M-20799-2016

Chandi Ram Kanungo

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.S.Mehta, Advocate,
for the petitioners in both the petitions.

Mr. Vikramjit Singh, Additional Advocate General, Haryana.

Mr. Satbir Gill, Advocate,
for the complainant.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-20798-2016, filed by
petitioner-Kuldeep Rai Patwari and CRM-M-20799-2016, filed by
petitioner-Chandi Ram Kanungo, under Section 438 Cr.P.C. for grant of

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anticipatory bail in case FIR No.123 dated 16.05.2016, registered at Police Station Ellenabad, District Sirsa, under Sections 420, 409 and 120-B IPC.

Notice of motion was issued in both the cases. Learned State counsel put in appearance on behalf of the respondent-State and the complainant also appeared through his counsel. They contested these petitions.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

As per the prosecution version, allegation against the present petitioners is that some file relating to the order of transfer of land which was passed in the year 1984, is found missing.

Learned counsel for the petitioners argued that order was passed in the year 1984 and Ellenabad was made Sub Division much later on. The file should be in the record-room or may not have been consigned to the record-room by the office of the then Sub Divisional Officer (C).

In pursuance of the orders dated 14.06.2016 passed by this Court in both the petitions, the petitioners have already joined the investigation. They are now not required for custodial interrogation.

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 merits of the case and no useful purpose will be served by sending the petitioners to custody, I find merit in both these petitions and the same are allowed. The orders dated 14.06.2016 passed in both the petitions, granting interim bail to the petitioners, are made absolute.

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However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

21.09.2016
parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note: Whether speaking/reasoned : Yes
 Whether reportable : No