

CRM-M-22550-2016

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

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Date of Decision:26.08.2016

Amit Kukkar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jatinderpal Singh, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab.

INDERJIT SINGH, J. (Oral)

This petition has been filed under Section Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.98 dated 24.08.2013, registered at Police Station Anandpur Sahib, District Rupnagar, under Section 36 (1) of the Punjab Apartment and Property Regulation Act, 1995.

Notice of motion has been issued in this case.

Ms. Shivali, AAG, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

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

As per the prosecution version, the petitioner was the Director

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of M/s Nature Heights Infra Ltd. The allegation against the said Company is that it tried to develop the unauthorized colony.

Learned counsel for the petitioner has argued that the present petitioner has already resigned from the said Company before registration of the FIR.

In pursuance of the interim order dated 08.07.2016 passed by this Court, the petitioner has already joined the investigation. He is 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 petitioner to custody, I find merit in this petition and the same is allowed. The order dated 08.07.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner 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.

26.08.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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