

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

Sr. No. 214

CRM-M-27145-2016

Date of Decision : 15.09.2016

ANWAR AND OTHERS.

..... PETITIONERS

VERSUS

STATE OF HARYANA

..... RESPONDENT

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.S.Dinarpur, Advocate with
Mr. Subhah Godara, Advocate
for the petitioners.

Mr. Kuldeep Tiwari, Addl. A.G, Haryana.

Mr. R.S. Budhwar, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner
under Section 438 Cr.P.C. in case FIR No.392 dated 30.06.2016 registered
under Sections 420/467/468/471/120-B IPC at P.S. City Jagadhari,

Yamuna Nagar.

Learned counsel for the petitioners has argued that the petitioners purchased land in Khasra No. 29 and thereafter have initiated civil proceedings for eviction of those persons who are in illegal possession thereto.

As per the FIR, the allegations are that the petitioners purchased the land which they well knew did not belong to the ostensible owner but belonged to some other persons who had their shops and commercial premises standing thereon.

Learned counsel for the complainant and learned DAG have argued that the petitioners' culpability is that they have purchased the land which they knew that the same did not belong to their sellers. It is however not disputed that now the petitioners have filed civil proceedings for possession of land which they have purchased and those civil proceedings are under going.

In these circumstances, I do not deem it appropriate to dismiss

the petition. Resultantly, the petition is allowed. The petitioners are directed to appear before the Investigating Officer on 24.09.2016 between 10:00 a.m to 04:00p.m. or any other date as and when their presence is required. In the event of arrest of the petitioners, they will be released on anticipatory bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

September 15, 2016
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No