

**CRM-M-33315-2016 and
CRM-M-36195-2016**

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

Date of Decision:04.11.2016

1. CRM-M-33315-2016

Ombir

... Petitioner

Versus

State of Haryana

... Respondent

AND

2. CRM-M-36195-2016

Anoop

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vikas Lochab, Advocate,
for the petitioners in both the petitions.

Mr. Vikas Chopra, Deputy Advocate General, Haryana.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-33315-2016, filed by petitioner-Ombir and CRM-M-36195-2016, filed by petitioner-Anoop, under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.275 dated 13.08.2016, registered at Police Station Kundli, District Sonipat, under Sections 420, 409 and 120-B of the Indian Penal Code.

Notice of motion was issued. Learned State counsel put in

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CRM-M-36195-2016**

appearance on behalf of the respondent-State and contested these petitions.

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

From the record, I find that as per the allegations, petitioner-Ombir being Sarpanch of village had got done development works in the village, but the material used was found to be of substandard. As per the FIR, itself, application was given firstly on 02.11.2013, but the FIR was registered on 13.08.2016.

The petitioners have already joined the investigation. They are now not required for custodial interrogation. Nothing is to be recovered from them. Therefore, no useful purpose will be served by sending the petitioners to custody.

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, I find merit in these petitions and the same are allowed. The orders dated 27.09.2016 passed in CRM-M-33315-2016 and 07.10.2016 passed in CRM-M-36195-2016 by this Court, granting interim bail to the petitioners, are made absolute. 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.

04.11.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

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