

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

**CRM-M No.40727 of 2016 (O&M)  
Date of decision : 07.12.2016**

Rajinder

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI  
\*\*\***

Present : Mr. Sant Lal Barwala, Advocate  
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

**\*\*\***

**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.400, dated 27.09.2016 registered under Section 10 of the Haryana Development and Regulation of Urban Areas Act, 1975 at Police Station Hansi Sadar and District Hisar.

The allegation against the petitioner is that he had developed an unauthorized colony.

Learned counsel for the petitioner states that the case if any has to be proved on the basis of documentary evidence and the custodial interrogation can not be insisted upon.

Learned Deputy Advocate General on instructions from ASI Naurang Singh states that the petitioner should be asked to join investigation.

Learned counsel for the petitioner states that he would have no objection.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 16.12.2016 (between 10.00 AM to 04.00 PM) and on any other date as and when his presence is required. On his appearance the I.O. shall release him on bail to his satisfaction subject to the conditions envisaged under Section 438 (2) Cr.P.C. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

07.12.2016

*Pooja sharma-I*

( AJAY TEWARI )  
JUDGE

Whether speaking/reasoned  
Whether Reportable :

Yes/No  
Yes/No