

CRM-M-18599-2017 (O & M)

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

CRM-M-18599-2017 (O & M)

Date of Decision: 26.07.2017

Irshad Khan @ Sada

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Neeraj Sheoran, Advocate for
Mr. Namit Khurana, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

CRM-22678-2017

Learned counsel for the petitioner wants to withdraw the instant application.

Dismissed as withdrawn.

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Petitioner-Irshad Khan @ Sada has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.224 dated 10.11.2016, registered at Police Station Chhachhrauli, under Sections 379 and 411 IPC and Sections 29, 32 and 33 of the Indian Forest Act, 1927.

Notice of motion was issued in this case. Learned State

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counsel 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.

From the record, I find that as per the FIR, *mundis* of 19 thorny trees cut unauthorizedly were found at the spot during patrolling.

In pursuance of the interim order dated 23.05.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected. Therefore, no useful purpose will be served by sending the petitioner 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 this petition and the same is allowed. The order dated 23.05.2017, 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.

26.07.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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