

CRM-M No. 24100 of 2017

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 24100 of 2017
Date of Decision : 01.09.2017

Krishan Bal Chopra and another

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Kshitij Sharma, Advocate for the petitioners.

Mr. Tanuj Sharma, Assistant Advocate General,
Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No. 0384, dated 19.06.2017, under Sections 188, 34 IPC read with Sections 4, 5 and 19 of the Punjab Land Preservation Act, 1900.

Learned counsel for the petitioners contends that the allegations against the petitioners are that they had carried out illegal construction and the matter is also listed before the NGT on 10.07.2017. Learned counsel further contends that all other sections under which the FIR has been registered are bailable except Section 188 of the IPC. The Section 188 IPC was also bailable but now with the notification issued by the State Government, it has been made non-bailable although the maximum sentence under this section remains six months. He also states that the petitioner No. 1 is 77 years of age, while

petitioner No. 2, who is his wife, is 66 years of age.

This Court, vide order dated 09.08.2017, had directed the petitioners to join investigation and in the event of their arrest, they were to be released on ad-interim bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel upon instructions from ASI Brahm Parkash states that the petitioners have joined investigation.

In view of the above and without expressing any opinion on the merits of case, the order dated 09.08.2017, granting ad-interim bail to the petitioners, is hereby made absolute. However, the petitioners shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

September 01, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>