

CRM-M-36455-2017

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

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Date of Decision:20.12.2017

Major (Retd.) Ram Narain Bura

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sanjay Vashisth, Advocate,
for the petitioner.

Mr. Kuldeep Sharma, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Major (Retd.) Ram Narain Bura has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.282 dated 27.11.2016, registered at Police Station Civil Lines, Bhiwani, District Bhiwani, under Sections 177, 200 and 420 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State 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.

As per the case of prosecution, the petitioner is a retired Army Officer, aged about 82 years. The main allegation against him is that he was allotted a residential plot on 28.07.1971 which was later on transferred to

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some other person and later on vide another letter of allotment dated 04.09.1991, another plot was allotted in his name. However, the FIR was registered on 27.11.2016.

In pursuance of the interim order dated 28.09.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody 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 28.09.2017, 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.

20.12.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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