

**CRM-M-41644-2017 and
CRM-M-43286-2017**

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

Date of Decision:19.12.2017

1. CRM-M-41644-2017

Babita Devi

... Petitioner

Versus

State of Haryana

... Respondent

AND

2. CRM-M-43286-2017

Mahender Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sarvjit Singh Khurana, Advocate,
for the petitioners in both the petitions.

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

Mr. Vishal Yadav, Advocate,
for the complainant.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-41644-2017, filed by
petitioner-Babita Devi and CRM-M-43286-2017, filed by petitioner-
Mahender Kumar under Section 438 of the Code of Criminal Procedure,
1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.288

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dated 24.09.2017, registered at Police Station Khol, District Rewari, under Sections 380, 448, 454, 506 and 34 of the Indian Penal Code.

Notice of motion was issued in both these petitions. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested these petitions.

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

From the record, I find that as per the allegations, articles lying in the shop were taken away illegally and possession of the shop was also taken.

At the time of arguments, it was argued that there was a dispute regarding possession of the property between the parties.

In pursuance of the interim orders dated 06.11.2017 passed in CRM-M-41644-2017 and dated 17.11.2017 passed in CRM-M-43286-2017 by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending them 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 06.11.2017 passed in CRM-M-41644-2017 and dated 17.11.2017 passed in CRM-M-43286-2017,

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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.

19.12.2017
parveen kumar

**(INDERJIT SINGH)
JUDGE**

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