

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

**(i) CRM No.M-15803 of 2017 (O&M)**

Krishan Kumar Mawai and another

...Petitioners

VERSUS

State of Haryana and another

...Respondents

**(ii) CRM No.M-19340 of 2017 (O&M)**

Hem Singh Bharana and another

...Petitioners

VERSUS

State of Haryana and another

...Respondents

**Date of Decision: September 25, 2018**

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr.N.S.Shekhawat, Advocate  
for the petitioners.

Mr.C.S.Bakshi, Addl. Advocate General, Haryana  
for the respondent-State.

Mr.Pawar Girdhar, Advocate  
for respondent No.2.

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**INDERJIT SINGH, J.**

Both the above-mentioned cases are taken up together as these  
have arisen from same criminal complaint.

Petitioners have filed these petitions under Section 438 Cr.P.C.

for grant of anticipatory bail in criminal complaint No.2/2012 titled as 'Haryana State Pollution Control Board vs. M/s Era Infra Engineering Ltd. and others' under Sections 37 and 38 of the Air (Prevention and Control of Pollution) Act.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the 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 petitioners have been summoned in the complaint case. They have already appeared before the trial Court in view of the interim orders. The petitioners are only to face trial. They are not required for any investigation or interrogation purposes as it is a complaint case. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioners are entitled to benefit of anticipatory bail. Therefore, both the petitions are accepted and the order dated 22.05.2017 passed in CRM No.M-15803 of 2017 and order dated 30.05.2017 passed in CRM No.M-19340 of 2017 granting interim bail to the petitioners, are made absolute.

**September 25, 2018**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

**Yes**  
**No**