

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

CRM-M-34084-2018
Date of decision:31.08.2018

Naveen Malik

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Deepak Kunda, Advocate
for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana
assisted by ASI Sarjeet Singh.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of anticipatory bail in respect of FIR No.684 dated 15.09.2017 under Sections 147, 148, 149, 448, 506 of Indian Penal Code, 1860 and Section 25 of the Arms Act, Police Station Sector 10, Gurugram.

The FIR was registered at the instance of Munish Kumar wherein it had been alleged that he along with Kuldeep Singh and Surinder Kumar had purchased plots in Ganpati Colony but subsequently they found that their plots are being forcibly occupied by Chacha Charan Singh, Rakesh, Manda and by Sashi Bhushan who had been threatening people. It is alleged that the said persons had taken possession over the plots in question.

Notice of the petition was issued to the respondent-State.

Learned State counsel upon instructions from ASI Sarjeet Singh has informed that although present petitioner is not named in the FIR but he was named by other co-accused in their disclosure statements and was also carrying weapon. It has however been informed that possession of plots in question have been restored to the complainant and other co-owners.

Pursuant to a query made by this Court on the last date of hearing, it has been informed that there is no case registered against present petitioner.

Having regard to the aforesaid facts and circumstances of the case and bearing in mind that the petitioner is not specifically named in the FIR and is also not a previous convict, I do not find that it is a case of custodial interrogation. Accordingly the petition is accepted. In the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The petition is accepted in the above mentioned terms.

(GURVINDER SINGH GILL)
JUDGE

31.08.2018
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**