

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

CRM-M-6335-2017 (O&M)

Date of decision: 03.04.2018

Dinesh Aggarwal

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Deepender Singh, Advocate for the petitioner.

Mr. Ashish Yadav, Additional Advocate General, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case F.I.R. No.520, dated 09.08.2016, under Section 188 IPC and Sections 4 & 5 of the Punjab Land Preservation Act, 1900, registered at Police Station Surajkund, District Faridabad.

Briefly noticed, FIR was registered on the allegation that 30 muskat trees were felled at the instance of the petitioner and which were standing on forest area and in violation of the provisions of the Punjab Land Preservation Act, 1900.

While issuing notice of motion on 27.02.2017, the following order was passed by this Court:

“Notice of motion for 01.05.2017.

In the event of arrest of the petitioner in FIR No.520 dated 09.08.2016, registered under Section 188 IPC and Sections 4 & 5 Punjab Land Preservation Act, 1900, at Police Station Surajkund, District Faridabad, the petitioner shall be admitted to ad-interim anticipatory bail to the satisfaction of

the arresting officer.

The above concession, however, is subject to the conditions prescribed in Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Phool Kumar apprises the Court that the petitioner has since joined investigation. That apart, learned State counsel submits that the valuation of the trees that were allegedly felled, has been determined to be Rs.2520/- as also a compensation amount of Rs.3600/-.

Petitioner having already joined investigation, his custodial interrogation would not be warranted.

Petition is allowed. Order dated 27.02.2017 passed by this Court is made absolute.

03.04.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |