

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

**CRM-M No. 435 of 2019
Date of Decision:-20.03.2019**

Shahid Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Rajesh Lamba, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 598 dated 15.9.2018, under Sections 10 and 7-A of Haryana Development and Regulation of Urban Areas Act, 1975 and Section 420 of IPC, registered at Police Station Mujesar, District Faridabad.

On 17.1.2019, this Court had passed the following order :-

“Learned counsel for the petitioner contends that the petitioner has allegedly executed two agreements to sell, besides, he has executed the sale deeds also. On the strength of agreements to sell, the alleged transfer of property will not take place in favour of vendee. The allegation in the FIR is that the petitioner is carving out

a colony without obtaining necessary permission. It is also pointed out that the alleged occurrence is compoundable as well.

Notice of motion for 20.3.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of the order dated 17.1.2019, the petitioner has joined the investigation.

Learned State counsel on instructions of SI Zakir Hussain submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 17.1.2019, is made absolute.

The petition stands allowed.

March 20, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No