

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12473-2019 (O&M)

Date of Order: 10.04.2019

Mahender Singh

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.S.Arya, Advocate
for the petitioner.

Mr. Karan Sharma, A.A.G.,Haryana

ANIL KSHETARPAL,J. (Oral)

On 18.03.2019, after noticing contentions of the petitioner,
detailed order was passed, which reads as under:-

*“Prayer is for grant of anticipatory bail in case
FIR No.67 dated 02.02.2019 under Sections 120-
B,166,218,420,447,465,467,468 IPC registered at P.S
Samalkha, District Panipat.*

*The allegations in the present FIR, which has been
lodged after an inquiry conducted by Sh. Virender Singh,
DSP, Headquarter, Karnal is that certain persons
namely Mahabir Singh, Anil Kumar and Rajkaran were
found cultivating the land of PACL Company. They had
even prepared false documents in that regard. As per the
inquiry, the petitioner-Mahender Singh was also in
illegal possession of the land, therefore registration of a*

case against him was recommended.

Learned counsel for the petitioner contends that, in fact, the petitioner was only a whistle blower and that it was he, who brought the fact of PACL land being in illegal cultivation to the Authorities concerned. The case has been registered against him by misreading the allegations levelled by the petitioner in FIR No.362 dated 11.6.2018 registered under Sections 506,379A and 323 IPC against co-accused Mahabir Singh. The Inquiry Officer has proceeded as if the petitioner had admitted in the said FIR that he was also cultivating the land of PACL Company whereas it is not so. The allegation in that FIR was that the petitioner was cultivating his own land and that Mahabir Singh came there and snatched certain documents from him. There is no reference of the petitioner cultivating the land of PACL Company in the said FIR.

Notice of motion for 10.4.2019.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/ Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required. “

Learned counsel for the State of Haryana, on instructions from

SI Ramesh Chander, has submitted that the petitioner has joined the investigation and is not required for further custodial interrogation. However, he submits that Mahender Singh may be directed to assist the Investigating Agency.

Keeping in view the aforesaid facts and for the reasons recorded in order dated 18.03.2019, the interim order is made absolute.

The petitioner-Mahender Singh would assist the Investigating Agency as and when called upon.

Liberty is granted to both the parties to move an application for revival, if there is any default by any of the party.

Accordingly the petition is allowed.

April 10, 2019
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(ANIL KSHETARPAL)
JUDGE

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