

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-13506-2019(O & M)
Date of Decision: 28.05.2019

MAHABIR SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sunny Tyagi, Advocate for
Mr. Ajay Ghangas, Advocate for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.67 dated 02.02.2019, under Sections 120-B, 166, 218, 420, 447, 465, 467 and 468 IPC, registered at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner contends that allegations against the petitioner are that the petitioner along with others were found cultivating the land of PACL Company. Although PACL had authorized the petitioner to safeguard the company's land from illegal encroachment and its illegal sale and purchase but he had given the land for cultivation to others which was in violation of the orders of RM Lodha Committee appointed by the Supreme Court. He, however, contends that the allegations against the petitioner regarding illegal cultivation are wrong and the petitioner is only trying to protect the company's land from illegal encroachment and sale. As

and when the petitioner receives any information regarding illegal possession of the land, he has been informing the company about the same. There is no complaint on behalf of the company against the petitioner that he had failed to protect the land of the company from illegal encroachment. The company had on 25.10.2018 once again authorized the petitioner to protect its land from illegal possession.

A coordinate Bench of this Court, by the order dated 26.03.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Ishwar Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 26.03.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

May 28, 2019
A.Kaundal

Whether speaking/ reasoned:	Yes/No
Whether Reportable :	Yes/No