

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-48590-2018 (O&M)

Date of Decision:- 27.2.2019

Durga Shankar Mishra and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Baljeet Beniwal, Advocate, for the petitioners.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek grant of anticipatory bail in respect of a case registered against him vide FIR No.251, dated 27.8.2018, registered at Police Station Bhupani, District Faridabad, under Section 7(1)-10-75 of HDRUA Act (Section 420 IPC added later on).
2. The allegations, in nutshell, are that the petitioner had sub-divided his land into plots and had thus carved out an unauthorized colony without obtaining requisite licence as mandated under Section 3, 7(i) (ii) of Haryana Development and Regulation of Urban Areas Act.
3. Pursuant to interim directions issued by this Court on 1.11.2018, the petitioner is stated to have joined investigation.
4. Having regard to the facts and circumstances of the case and bearing in mind the nature of offences and also that the petitioner has already

joined investigation and nothing is required to be recovered from him and that the case is mainly based on documentary evidence, in my opinion it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and interim directions issued vide order dated 1.11.2018 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

February 27, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No