

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

CRM No.M-54251 of 2018 (O&M)

Date of Decision: May 23, 2019

Rajesh

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ankur Lal, Advocate
for the petitioner.

Mr.Chetan Sharma, AAG, Haryana
for the respondent-State.

Mr.Virender Soni, Advocate
for respondent No.2.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.187 dated 04.04.2018 under Sections 427, 447 and 34 IPC (Section 380 IPC added later on), registered at Police Station Palam Vihar, District Gurugram.

Notice of motion was issued. Learned State counsel as well as learned counsel for respondent No.2 appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per the FIR, which was registered by Vishnu Dutt Sharma

against the present petitioner and one Mukesh Kumar, they came at around

3.00 a.m. in the godown of complainant's factory along with 4-5 women and bad elements, and entered after breaking the lock. They damaged goods which were kept inside and took along with them few electricity motors.

Learned counsel for the petitioner argued that litigation is pending between the parties and dispute is regarding property in question. The petitioner is owner of the property in question.

The petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose will be served by sending and keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 07.12.2018 granting interim bail to the petitioner, is made absolute.

May 23, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No