

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

CRM-M-35605 of 2019
Date of Decision: 29.10.2019

Jai Parkash		Petitioner
	Versus	
State of Haryana		...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Arun Kumar, AAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No.89 dated 08.06.2018 under
Sections 3, 6 and 7(A) of the Punjab Scheduled Roads and Controlled
Areas Restriction of Unregulated Development Act, 1963, registered
at Police Station Sohna, District Gurugram, Haryana.

On 29.08.2019, while issuing notice of motion the
following order was passed by this Court:

“Contents that the petitioner is neither the seller nor
buyer of the plots in question carved out by M/s
S.R.Developers Green City Indian Pvt.Ltd.

Notice of motion for 29.10.2019.

In the meanwhile, the petitioner is directed to join the
investigation before the Investigating Officer. In the
event of his arrest, the Arresting Officer would admit
him to interim bail till the next date of hearing on his
furnishing adequate bail and surety bonds to his
satisfaction. The petitioner is also directed to abide by all
the conditions as envisaged under Section 438 (2)
Cr.P.C.”

It is contended by learned counsel for the petitioner that in terms of the above order, petitioner has already joined investigation.

Learned State counsel on instructions from SI Sanjeev Kumar has acknowledged the above factual position and stated that the custodial interrogation of the petitioner is no longer required in the present case.

In view of the above, order dated 29.08.2019 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

October 29, 2019

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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no