

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

CRM-M-818-2022
Date of Decision : 18.01.2022

Ram Kumar	...	Petitioner
Versus		
State of Haryana	...	Respondent

CORAM : HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Varun Katyal, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Rose Gupta, Advocate for the complainant.

ANOOP CHITKARA, J (ORAL)

The petitioner, apprehending arrest came up before this Court under Section 438 Cr.P.C., seeking anticipatory bail.

2. Vide order dated 12.01.2022, this Court had granted interim anticipatory bail to the petitioner.

3. Learned counsel for the petitioner submits that in compliance of the previous order dated 12.01.2022, the petitioner has joined the investigation.

4. Learned counsel for the petitioner submits that all records based on which entries were made in revenue records are not with him. He further submits that since he has retired, all such record must be in the respective files of the revenue office.

5. Learned State counsel on instructions received from SI Ramesh has opposed the bail on the ground that the main documents due to which lien was created are yet to be recovered. Learned State counsel further submits

that the main accused has named the present petitioner as the one in possession of the documents.

6. Since the petitioner was a Patwari at that point of time, whatever the documents on which he made the necessary entries would fall a part of the record. In case, any omission on his part is found, then appropriate action would not be to deny the bail and custodial investigation would lie with the employer.

7. Given the nature of allegations, no pre-trial incarceration is required. Without commenting on the case's merits and the circumstances peculiar to this case, the petitioner makes a case for release on bail,.

8. Given above, the present petition is allowed. The interim order dated 12.01.2022 is hereby made absolute.

(ANOOP CHITKARA)
JUDGE

January 18, 2022
Manpreet

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No