

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

(I)	CRM-M-11115-2022 (O&M)	
Santosh		...Petitioner
	Versus	
State of Haryana		...Respondent
(II)	CRM-M-12212-2022 (O&M)	
Sunita		...Petitioner
	Versus	
State of Haryana		...Respondent
(III)	CRM-M-14365-2022 (O&M)	
Rajpal		...Petitioner
	Versus	
State of Haryana		...Respondent

Date of Decision: 08.08.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. J.P.Sharma, Advocate, for the petitioner(s)
in CRM-M-11115-2022 and CRM-M-12212-2022.

Mr. Vikram Bishnoi, Advocate, for the petitioner
in CRM-M-14365-2022.

Mr. Rahul Mohan, DAG, Haryana,
assisted by SI Sarika.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of aforesaid three petitions filed on behalf of Santosh, Sunita and Rajpal respectively, seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.6 dated

07.01.2022 at Police Station City Mahendergarh, District Mahendergarh, under Sections 6/7 of the Punjab Scheduled Roads & Controlled Area Restriction of Unregulated Development Act, 1963 (for short 'the Act'), wherein the allegations in nutshell are that while petitioner – Santosh had encroached upon an area of 90 square yards falling within the controlled area without obtaining permission under Section 7 of the Act; petitioner - Sunita had encroached upon 109 square yards and petitioner – Rajpal another 90 square yards.

2. At the time of issuance of notice of motion in *Santosh's* case on 16.03.2022, the following order was passed:

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 6, dated 7.1.2022 registered under Sections 6, 7 of the Punjab Scheduled Roads and Controlled Area Restriction of Unregulated Development Act, 1963 at Police Station City Mahendergarh, District Mahendergarh.

The allegations against petitioner are that she has raised construction over 90 sq. yds of land falling within controlled area without obtaining permission under Section 7 of the Act.

Learned counsel for petitioner states that petitioner is ready and willing to appear before the competent authority in response to notice issued to her regarding illegal construction. She undertakes to join investigation and cooperate in same.

Notice of motion for 12.7.2022.

In the meanwhile, in the event of arrest of petitioner, she shall be released on interim anticipatory bail to the satisfaction of Arresting/Investigating Officer. She will join investigation as and when called for and cooperate in same. She will abide by conditions of Section 438 (2) Cr.P.C”

3. Similarly, the other petitioners in other two petitions, namely, Sunita and Rajpal were also directed to join investigation vide separate orders dated 24.03.2022 and 05.04.2022 respectively.
4. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, all the petitioners have since joined investigation and are not required for any custodial interrogation.
5. Having regard to the aforestated position, wherein all the petitioners are stated to have joined investigation and are not required for any custodial interrogation, all the petitions are accepted and the interim directions issued by this Court vide order/s dated 16.03.2022 in Santosh's case, 24.03.2022 in Sunita's case and 05.04.2022 in Rajpal's case are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
6. A photocopy of this order be placed on all the connected files.

08.08.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**