

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

210

CRM M-20334 of 2022

Date of Decision: July 28, 2022

Daya Singh

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present : Mr. R.S. Kundu, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

Mr. Pankaj Mehta, Advocate
for the complainant.

VIKAS BAHL, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.205 dated 09.04.2022 registered under Sections 341, 379, 447, 506, 511, 34 IPC registered at Police Station Narnaund, District Hisar.

On 12.05.2022, this Court was pleased to pass the following order:-

Learned counsel for the petitioner inter alia contends that the present dispute is a civil dispute and the complainant has already filed civil suit and in the said civil suit, there is no specific mention that the complainant is in possession of any specific khasra number. It is further submitted that no order of injunction has been granted and only status quo has been passed. It is contended that as per the case of the petitioner, it is he who is in

possession of the disputed land and it is he who has sown the crop and has referred to the receipt (Annexure P-3).

Notice of motion for 14.07.2022.

On advance notice, Mr. Munish Sharma, AAG, Haryana appears and accepts notice on behalf of the State and Mr. Pankaj Mehta, Advocate appears on behalf of the complainant.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Liberty is granted to the learned counsel for the State and complainant to place on record the documents in order to show that the petitioner does not deserve the concession of anticipatory bail.

Thereafter on 14.07.2022, this Court had passed the following order:-

Learned State counsel has submitted that the petitioner has not joined the investigation.

However, learned counsel for the petitioner has submitted that the petitioner has joined the investigation on three occasions.

The petitioner is again directed to join the investigation on 22.07.2022 at 11.00 A.M.

Adjourned to 28.07.2022.

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 12.05.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Satish Kumar, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 12.05.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 12.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

July 28, 2022

(VIKAS BAHL)

amit rana

JUDGE

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