

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:105617
CRM-M-26469-2023
Date of Decision: August 16, 2023

Manohar Singh and another ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Jitender Singh Dadwal, Advocate for the petitioners.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

On 25.05.2023, the following order was passed by this

Court:-

“Present petition has been filed under Section 438 of Cr.P.C., praying for grant of anticipatory bail to the petitioner in case bearing FIR No. 166 dated 05.09.2020 registered under Sections 36(1) of Punjab Apartment and Property Regulation Act 1995 and under Section 420 of Indian Penal Code (Sections 465, 467, 468 and 120-B of IPC added later on) at Police Station Sahnewal, District Ludhiana.

Learned counsel for the petitioners contends that as per the allegations levelled in the FIR, petitioners have carved out illegal colony against the statutory norms of Punjab Apartment and Property Regulation Act 1995. Learned counsel further contends that the land which was proposed for carving out the colony has already been returned to the original owners and there is no such activity for carving out the said colony and the amount deposited by the petitioners for seeking regularization of the said colony has already been forfeited. Learned counsel submits that admittedly there was a proposal to carve out the colony in the year 2020, but due to out break of Covid-19, it could not be developed and the same has already been returned to the original owners, who have not made any complaint against the petitioners. Learned counsel further submits that since nothing is to be recovered from the petitioners, so their custodial interrogation is not required, no

- 2 -

other case is pending against the petitioners and they are ready to join the investigation.

Notice of motion.

Mr. P.S. Grewal, DAG Punjab, who is present in the Court, accepts notice on the asking of the Court and seeks time to file reply/status report.

Adjourned to 16.08.2023.

Meanwhile, in the event of arrest, the petitioners are ordered to be released on interim bail on their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.”

On instructions from SI Harmeet Singh, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 25.05.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 25.05.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

August 16, 2023

sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No