

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

CRM-M No. 29612 of 2015 (O&M)
Date of decision: 05.10.2015

Sanjiv Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Toor, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by HC Jarnail Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.115, dated 18.07.2015, registered under Section 4(1) Mining and Minerals Act, 1957 and Section 379 IPC, at Police Station Kurali, District SAS Nagar, Mohali.

The learned counsel for the petitioner states the petitioner purchased the sand in question allegedly recovered from the tractor owned by him against valid receipt (Annexure P-2). In pursuance of the order dated 02.09.2015, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that

the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 02.09.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

05.10.2015

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(JITENDRA CHAUHAN)
JUDGE