

202 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-No.44516 of 2014
Date of Decision:-17.03.2015

Ram Chand and another ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Rajesh Narang , Advocate for the petitioners.

Mr.Gurinderjit Singh, Deputy Advocate General, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed u/s 438 Cr.P.C. is for grant of anticipatory bail to the petitioners, namely, Ram Chand son of Boota Ram and Bhajan Lal @ Harbhajan Lal son of Lachman Dass, who have been booked for having committed the offence punishable under Section 379 IPC and Section 3 of the Mines and Mineral (Development and Regulation) Act, 1957, in a case arising out of FIR No. 241, dated 20.11.2014, registered at Police Station, Sadar Fazilka, District-Fazilka.

While issuing notice of motion for today i.e. 17.03.2015, this Court has recorded the contention of learned counsel for petitioner No.1 that Ram Chand-petitioner No.1, is the owner of JCB machine, which has already been released on *supardari* to him after obtaining no objection from the investigating agency. Learned counsel also contended that nothing was to be recovered from the petitioners.

Learned counsel for the State, on instructions from Head Constable-Bhajan Dass, Police Station, Sadar, Fazilka, very fairly states that the petitioners have joined investigation on the basis of the

order of learned Additional Sessions, Judge, Fazilka, and their custodial interrogation is not required in the present case, particularly when the petitioners have already joined investigation on the basis of the order of learned Additional Sessions, Judge, Fazilka.

In view of the above, the present petition is allowed and petitioners are admitted to anticipatory bail to the satisfaction of the Arresting Officer/Investigating Officer.

However, petitioners shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

17.03.2015
Anjal

(HARI PAL VERMA)
JUDGE