

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

CRM No.M-6721 of 2015 (O&M)

Date of Decision: 02.07.2015.

Charanjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. A.S. Bhatti, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. Seeking the concession of pre-arrest bail to the petitioner in case FIR No.19 dated 17.01.2015, under Section 379 IPC and Section 21 of the Mining Act, registered at Police Station Dasuya, District Hoshiarpur.

While issuing notice of motion on 02.03.2015, the following order was passed by this Court:

“Petitioner seeks the concession of pre-arrest bail in FIR No.19 dated 17.01.2015 registered under Sections 379 IPC and 21 of Mining Act at Police Station Dasuya, Hoshiarpur.

Counsel submits that the petitioner was merely the driver of the tractor trolley in question and the same already stands confiscated. It is argued that no recovery, as such, is to be effected from the petitioner and who otherwise is ready and willing to join investigation.

Notice of motion, returnable for 02.07.2015.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions enumerated under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from HC Jasbir Singh has apprised the Court that the petitioner has since joined investigation. Furthermore, the observations contained in the notice of motion order have gone un rebutted.

Accordingly, petition is allowed. Order dated 02.03.2015 passed by this Court is made absolute.

Disposed of.

02.07.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**