

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

CRM No.M-10752 of 2016 (O&M)

Date of Decision: August 05, 2016

Gurpreet Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ashok Giri, Advocate
for the petitioner.

Ms.Shivali, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.23 dated 26.02.2016 under Section 379 IPC and Sections 21(1) and 4(1A) of the Mines and Minerals (Regulation and Development) Act, 1957, registered at Police Station Kurali, District SAS Nagar, Mohali.

Notice of motion was issued and learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the allegation against the petitioner is that he was found committing theft of sand by loading the same in his

tractor trolley and the petitioner is alleged to have escaped from the spot. The trolley containing the alleged sand was seized. It is argued that except the offence of theft, the remaining offences are bailable.

The petitioner has already joined the investigation. Nothing is to be recovered from him. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is accepted and the order dated 30.03.2016 granting interim bail to the petitioner is made absolute.

August 05, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No