

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

**C.R.M-M No.13413 of 2016
Date of Decision : 26.07.2016**

Gurnam Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ramesh Sharma, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.24 dated 15.02.2016 registered under Section 379 IPC and Section 21 of the Mines and Minerals Act, at Police Station Sidhwan, Bet, District Ludhiana.

On 23.04.2016 the following order was passed:-

“Petitioner is owner of a tractor trolley which was allegedly used by the co-accused of the petitioner for committing offence of theft of minerals.

Notice to the Advocate General, Punjab, for 26.7.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on or before 14.5.2016. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.”

Learned counsel for the petitioner states that pursuant to the order dated 23.04.2016 the petitioner has joined the investigation and the co-accused has been arrested.

Learned Additional Advocate General on instructions from H.C. Jaswant Singh has accepted this fact and stated that the petitioner is no more required for custodial interrogation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case. Ordered accordingly.

Resultantly, the interim order dated 23.04.2016 is made absolute subject to the conditions envisaged under Section 438(2)

Cr.P.C.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

July 26, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No