TAPINDER SINGH MANN
2016.04.01 18:09

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

Cr. Misc. M 2447 of 2016
Date of decision:- 28.3.2016

Lakhvinder Singh

Petitioner

vs.

State of Punjab

Respondent

Present: Ms. Deepika, Advocate.
Ms. HK Athwal, DAG, Punjab

M.M.S.BEDI,J.

On the instructions of HC Bhagwan Dass it has been informed that the petitioner has joined the investigation pursuant to the interim order passed by this court and that the recoveries have already been effected. The petitioner is also not involved in any other case. It will be a debatable issue during the course of trial whether in view of provisions of Section 21 (1) and (6) of Mines and Minerals Act, 1957, provisions of Section 379 IPC could be invoked by the prosecution agency.

The petition is allowed. Interim order dated 22.1.2016 is hereby made absolute subject to all the conditions u/s 438(2) Cr.P.C. subject to the condition that he will not commit the similar offence, of which he is accused of, during pendency of the trial.

March 28 ,2016 (M.M.S.BEDI)
TSM JUDGE