

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

CRM-M-39270-2016 (O&M)

Date of decision : 23.12.2016

Surinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Sandhu, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Shamsher Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in FIR No.6 dated 09.02.2016, registered under Sections 379 and 188 of the Indian Penal Code; and Sections 21(1) & 4(1) of the Mining and Minerals Act, 2015; registered at Police Station Nurpur Bedi, Distt. Rupnagar.

Heard.

On 04.11.2016, the following order was passed:-

“Contends that the petitioner is neither the owner nor the driver of the tractor allegedly used for the illegal mining. The vehicle in question has already been released in favour of the owner on sapurdari. The petitioner is not involved in any other FIR.

Notice of motion.

Ms. Harsimrat Rai, DAG, Punjab, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

Meanwhile, in the event of arrest of the petitioner(s) by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court.*

Post again on 23.12.2016.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 04.11.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

23.12.2016
atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No